

The Gazette of India

EXTRAORDINARY

PART II—Section 2

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LOK SABHA

The following Bills were introduced in the Lok Sabha on 18th April, 1956:—

Bill* No. 28 of 1956.

A Bill to provide for the extension of certain laws to the State of Jammu and Kashmir

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Jammu and Kashmir (Extension of Laws) Act, 1956. Short title and commencement.
- 5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. (1) The Acts and Ordinance mentioned in the Schedule and all rules, orders, and regulations made thereunder are hereby extended to, and shall be in force in, the State of Jammu and Kashmir. Extension and amendment of certain laws.
- 10 (2) With effect from the commencement of this Act, the Acts and Ordinance mentioned in the Schedule shall be amended as specified therein.
3. Any reference in any Act or in the Ordinance mentioned in the Schedule to a law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State. Construction of references to laws not in force in Jammu and Kashmir.
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*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to Lok Sabha, the introduction and consideration of the Bill.

Construction of references to authorities where new authorities have been constituted.

4. Any reference by whatever form of words in any law for the time being in force in the State of Jammu and Kashmir to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in that State shall, where a corresponding new authority has been constituted by or under any law now extended to that State, have effect as if it were a reference to the new authority. 5

Repeals and savings.

5. If immediately before the commencement of this Act there is in force in the State of Jammu and Kashmir any law corresponding to any Act or Ordinance now extended to that State, that law shall, save as otherwise expressly provided in this Act, stand repealed on such commencement:

Provided that the repeal shall not affect—

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder. 15

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed,

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed, or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; 20

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed: 25

Provided further that, subject to the preceding proviso, anything done or any action taken (including any appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected) under any such law shall be deemed to have been done or taken under the corresponding provisions of the Act or Ordinance now extended to that State, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Act or Ordinance.

Power to remove difficulties.

6. (1) If any difficulty arises in giving effect to the provisions of any Act or Ordinance now extended to the State of Jammu and Kashmir, the Central Government may, by order notified in the Official Gazette, make such provisions or give such directions as appear to it necessary for the removal of the difficulty. 35

(2) In particular, and without prejudice to the generality of the foregoing power, any such notified order may,—

(a) specify the corresponding authorities within the meaning of section 4,

(b) provide for the transfer of any matter pending immediately before the commencement of this Act before any court, tribunal or other authority, to any corresponding court, tribunal or authority for disposal,

- 5 (c) specify the areas or circumstances in which, or the extent to which, or the conditions subject to which, anything done or any action taken (including any of the matters specified in the second proviso to section 5) under any law repealed by that section shall be recognised or given effect to under the
10 corresponding provision of the Act or Ordinance now extended.

THE SCHEDULE

(See section 2)

ACTS

The Opium Act, 1857

- 15 (13 of 1857)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

The Government Savings Banks Act, 1873

(5 of 1873)

- 20 *Section 1.*—Omit “except the State of Jammu and Kashmir”.

The Negotiable Instruments Act, 1881

(26 of 1881)

Section 1.—Omit “except the State of Jammu and Kashmir”.

Section 3.—Omit the definition of “India”.

- 25 *Section 137.*—Omit “or the State of Jammu and Kashmir”.

The Police Act, 1888

(3 of 1888)

Section 1.—For sub-section (2), substitute—

“(2) It extends to the whole of India.”

- 30 *The Indian Merchandise Marks Act, 1889*

(4 of 1889)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 2.—Omit clause (6).

The Live-stock Importation Act, 1898

- 35

(9 of 1898)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 2.—In clause (c), for “the territories to which this Act extends”, substitute “India”.

Section 3.—In sub-section (1), for “the territories to which this Act extends”, substitute “India”.

The Indian Coinage Act, 1906

5

(3 of 1906)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 23.—For “the territories to which this Act extends”, substitute “India”. 10

The Indian Patents and Designs Act, 1911

(2 of 1911)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 2.—(a) To clause (1), add “and in relation to the State of Jammu and Kashmir, the Advocate-General for that State”. 15

(b) Omit clause (7A).

Section 80.—(a) In the opening paragraph of sub-section (1), for the portion beginning with the words “If immediately” and ending with the words “to which this Act extends”, substitute— 20

“If immediately before—

(i) the 18th day of April, 1950, in relation to any Part B State other than the State of Jammu and Kashmir, and

(ii) the date of commencement of the Jammu and Kashmir (Extension of Laws) Act, 1956, in relation to the State of Jammu and Kashmir, 25

there was in force in the Part B State concerned”.

(b) In sub-section (2), after “Part B States (Laws) Act, 1951,” insert “or section 5 of the Jammu and Kashmir (Extension of Laws) Act, 1956,”. 30

3 of 1951.

The Destructive Insects and Pests Act, 1914

(2 of 1914)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 2.—Omit clause (d).

Omit section 4C.

Section 5A.—Omit “or exports or attempts to export from India to the State of Jammu and Kashmir any article or insect in respect of which a notification under section 4C has been issued”.

The Indian Copyright Act, 1914

(3 of 1914)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

10 Section 2.—Omit clause (1A).

The Indian Cotton Cess Act, 1923

(14 of 1923)

Section 1.—For sub-section (2), substitute—

“(2) It extends to the whole of India:

15 Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the levy and collection of the cess specified therein.”.

Section 3.—(a) In sub-section (1), for “the territories to which
20 this Act extends” and “the said territories”, substitute “India”.

(b) In sub-section (2), for “the territories to which this Act extends”, substitute “India”.

The Indian Soldiers (Litigation) Act, 1925

(4 of 1925)

25 Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

The Dangerous Drugs Act, 1930

(2 of 1930)

Throughout the Act, for “the States”, substitute “India”.

30 Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 2.—Omit clause (II).

The Indian Lac Cess Act, 1930

(24 of 1930)

Section 1.—For sub-section (2), substitute—

“(2) It extends to the whole of India:

Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the levy and collection of the cess specified therein.”.

The Reserve Bank of India Act, 1934

(2 of 1934)

10

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.*Section 2.*—Omit clause (g).

After section 26, insert—

Certain bank notes to cease to be legal tender.

“26A. Notwithstanding anything contained in section 26, no bank note of the denominational value of five hundred rupees, one thousand rupees or ten thousand rupees issued before the 13th day of January, 1946, shall be legal tender in payment or on account for the amount expressed therein.”.

The Petroleum Act, 1934

20

(30 of 1934)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.*Section 2.*—For clause (d), substitute—

“(d) ‘to transport petroleum’ means to move petroleum from one place to another in India;”.

In clause (e), for “the territories to which this Act extends”, substitute “India”.

The Insurance Act, 1938

(4 of 1938)

30

Throughout the Act, for “the States” and “the States of India”, substitute “India”.

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.*Section 2.*—Omit clause (14A).

35

Section 114.—In clause (b) of sub-section (2), omit “in India or” and “as the case may be”.

The Trade Marks Act, 1940

(5 of 1940)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

5 Section 2.—In sub-section (1), omit clause (dd).

The Agricultural Produce Cess Act, 1940

(27 of 1940)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

10 Section 3.—In sub-section (1), for “the territories to which this Act extends”, substitute “India”.

The Indian Coconut Committee Act, 1944

(10 of 1944)

Section 1.—For sub-section (2), substitute—

15 “(2) It extends to the whole of India:

Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the levy and collection of the duty of excise specified therein.”.

20 Section 3.—In sub-section (1), for “the territories to which this Act extends” and “the said territories”, substitute “India”.

The Indian Oilseeds Committee Act, 1946

(9 of 1946)

Section 1.—For sub-section (2), substitute—

25 “(2) It extends to the whole of India:

Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the levy and collection of the duty of excise and the duty of customs specified therein.”.

30 Section 3.—In sub-section (1),—

(a) for “the territories to which this Act extends”, substitute “India”;

(b) for “the said territories” occurring in two places, substitute “India”.

35 *The Delhi Special Police Establishment Act, 1946*

(25 of 1946)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

The Foreign Exchange Regulation Act, 1947

(7 of 1947)

Throughout the Act, for "the States", substitute "India".

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir". 5

Section 2.—Omit clause (m) and re-letter clause (n) as clause (m).

The Antiquities (Export Control) Act, 1947

(31 of 1947)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir". 10

Section 2.—In clause (b), for "the territories to which this Act extends", substitute "India".

The Atomic Energy Act, 1948

(29 of 1948)

15

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

Section 15.—In sub-section (3), for "Advocate-General of India", substitute "Attorney-General for India".

The Banking Companies Act, 1949

20

(10 of 1949)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

Section 5.—In sub-section (1), omit clause (gg).

Section 11.—In the *Explanation* to sub-section (3), for "in India", substitute "in a State". 25

The Banking Companies (Legal Practitioners' Clients' Accounts) Act, 1949

(46 of 1949)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir". 30

The Emblems and Names (Prevention of Improper Use) Act, 1950
(12 of 1950)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir". 35

The Government Premises (Eviction) Act, 1950

(27 of 1950)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

5 Section 2.—For clause (b), substitute—

“(b) ‘Government premises’ means,—

(i) in relation to the State of Jammu and Kashmir, any premises or land belonging to, or taken on lease by or on behalf of the Central Government, or acquired or requisitioned on behalf of the Central Government by the State Government; and

(ii) in relation to the rest of India, any premises or land belonging to, or taken on lease or requisitioned by, the Central Government or requisitioned by the competent authority under the Requisitioning and Acquisition of Immovable Property Act, 1952, and, in relation to the State of Delhi, includes also any premises or land belonging to any municipality in Delhi or any land belonging to the Improvement Trust, Delhi, whether such land is in the possession of, or leased out by, the Improvement Trust;”.

The State Financial Corporations Act, 1951

(63 of 1951)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

25 *The State Armed Police Forces (Extension of Laws) Act, 1952*
(63 of 1952)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

30 *The Khadi and other Handloom Industries Development*
(Additional Excise Duty on Cloth) Act, 1953
(12 of 1953)

Section 1.—In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 2.—For clause (a), substitute—

“(a) ‘appointed day’ means,—

35 (i) in relation to the State of Jammu and Kashmir, the date on which the Jammu and Kashmir (Extension of Laws) Act, 1956, comes into force in that State; and

(ii) in relation to the rest of India, the 15th day of February, 1953;".

Section 3.—In sub-section (1), for "the territories to which this Act extends", substitute "India".

The Salt Cess Act, 1953

5

(49 of 1953)

Section 1.—In sub-section (2), omit "except the State of Jammu and Kashmir".

Section 3.—For "the territories to which this Act extends", substitute "India".

10

The Companies Act, 1956

(1 of 1956)

Section 1.—For sub-section (3), substitute—

"(3) It extends to the whole of India:

Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the incorporation, regulation and winding up of banking, insurance and financial corporations".

15

Section 2.—Omit clause (20).

Section 3.—In sub-section (1), for sub-clause (f) of clause (ii), substitute—

20

"(f) Any law corresponding to any of the Acts or the Ordinance aforesaid and in force—

(1) in the merged territories or in a Part B State (other than the State of Jammu and Kashmir), or any part thereof, before the extension thereto of the Indian Companies Act, 1913; or

25 7 of 1913 •

(2) in the State of Jammu and Kashmir, or any part thereof, before the commencement of the Jammu and Kashmir (Extension of Laws) Act, 1956;".

30

In sub-section (2), omit clause (b).

Section 226.—In clause (a) of sub-section (2), before "entitling him to act", insert "or of the Jammu and Kashmir (Extension of Laws) Act, 1956, as the case may be,".

Section 558.—In sub-section (1), omit the *Explanation*.

35

Section 565.—In sub-section (3), omit “or in the State of Jammu and Kashmir”.

Section 582.—In sub-clause (iii) of clause (a), omit “or in the State of Jammu and Kashmir immediately before the 26th January,
5 1950”.

ORDINANCE

The Currency Ordinance, 1940.

(4 of 1940)

Section 1.—In sub-section (2), omit “except the State of Jammu
10 and Kashmir”.

Section 2.—For “the territories to which this Ordinance extends”,
and “the said territories”, substitute “India”.

STATEMENT OF OBJECTS AND REASONS

The entries in the Union List in the Seventh Schedule to the Constitution in respect of which Parliament has power to make laws for Jammu and Kashmir are set out in the Constitution (Application to Jammu and Kashmir) Order, 1954. Central laws relating to some of these matters have already been extended to Jammu and Kashmir. This Bill is intended to extend to the State some of the other Central laws relating to these subjects.

GOVIND BALLABH PANT.

NEW DELHI;

The 7th April 1956.

FINANCIAL MEMORANDUM

The extension to Jammu and Kashmir of some of the Acts mentioned in the Schedule to the Jammu and Kashmir (Extension of Laws) Bill, 1956, will involve expenditure from the Consolidated Fund of India, but it is not possible to estimate the precise amount.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Central Government to issue orders in the Official Gazette for the removal of difficulties that may arise in giving effect to its provisions. The Bill seeks to extend various Acts to the State of Jammu and Kashmir and it is the normal practice to insert in Bills extending enactments to territories, a provision for the removal of difficulties which may arise in the course of transition from the old to the new state of affairs—see for instance section 6 of the Taxation Laws (Extension to Merged States and Amendment) Act, 1949 (67 of 1949), section 7 of the Part B States (Laws) Act, 1951 (3 of 1951) and section 8 of the Taxation Laws (Extension to Jammu and Kashmir) Act, 1954 (41 of 1954). Clause 6(2) of the Bill indicates the principal matters in respect of which orders may be issued. The delegation of legislative power, in the circumstances, is not of an exceptional character.

~~Printed in the Presses of the Government of India~~

Bill No. 29 of 1956

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Ninth Amendment) Act, 1956.

Short title
and com-
mencement.

2. (2) It shall come into force on the 1st day of October, 1956.

3. (1) In article 1 of the Constitution,—

Amendment
of article 1
and First
Schedule.

(a) for clause (2), the following clause shall be substituted, namely:—

10 “(2) The States and the territories thereof shall be as specified in the First Schedule” and

(b) in clause (3), for sub-clause (b), the following sub-clause shall be substituted, namely:—

“(b) the Union territories specified in the First Schedule; and”.

(2) For the First Schedule to the Constitution, the following Schedule shall be substituted, namely:—

“FIRST SCHEDULE

[Articles 1 and 4]

I. THE STATES

5

<i>Name</i>	<i>Territories</i>
1. Andhra-Telangana	The territories specified in sub-section (1) of section 3 of the Andhra State Act, 1953 and the territories specified in sub-section (1) of section 3 of the States Reorganisation Act, 1956. 10
2. Assam	The territories which immediately before the commencement of this Constitution were comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas, but excluding the territories specified in the Schedule to the Assam (Alteration of Boundaries) Act, 1951. 15
3. Bihar	The territories which immediately before the commencement of this Constitution were either comprised in the Province of Bihar or were being administered as if they formed part of that Province. 20
4. Gujarat	The territories specified in sub-section (1) of section 10 of the States Reorganisation Act, 1956. 25
5. Kerala	The territories specified in sub-section (1) of section 5 of the States Reorganisation Act, 1956.
6. Madhya Pradesh	The territories specified in sub-section (1) of section 11 of the States Reorganisation Act, 1956. 30
7. Madras	The territories which immediately before the commencement of this Constitution were either comprised in the Province of Madras or were being administered as if they formed part of that Province and the territories specified in section 4 of the States Reorganisation Act, 1956, but excluding the territories specified in sub-section (1) of section 3 and sub-section (1) of section 4 of the Andhra State Act, 1953 and the territories specified in clause (b) of sub-section (1) of section 5, section 6 and clause (d) of sub-section (1) of section 7 of the States Reorganisation Act, 1956. 40 45
8. Maharashtra	The territories specified in sub-section (1) of section 9 of the States Reorganisation Act, 1956.

	<i>Name</i>	<i>Territories</i>
	9. Mysore . . .	The territories specified in sub-section (1) of section 7 of the States Reorganisation Act, 1956.
5	10. Orissa . . .	The territories which immediately before the commencement of this Constitution were either comprised in the Province of Orissa or were being administered as if they formed part of that Province.
10	11. Punjab . . .	The territories specified in section 13 of the States Reorganisation Act, 1956.
	12. Rajasthan . . .	The territories specified in section 12 of the States Reorganisation Act, 1956.
15	13. Uttar Pradesh	The territories which immediately before the commencement of this Constitution were either comprised in the Province known as the United Provinces or were being administered as if they formed part of that Province.
20	14. West Bengal .	The territories which immediately before the commencement of this Constitution were either comprised in the Province of West Bengal or were being administered as if they formed part of that Province and the territory of Chandernagore as defined in clause (o) of section 2 of the Chandernagore (Merger) Act, 1954.
25		
30	15. Jammu and Kashmir	The territory which immediately before the commencement of this Constitution was comprised in the Indian State of Jammu and Kashmir.

II. THE UNION TERRITORIES

	<i>Name</i>	<i>Extent</i>
35	1. Bombay . . .	The territory specified in section 8 of the States Reorganisation Act, 1956.
	2. Delhi . . .	The territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of Delhi.
40	3. Himachal Pradesh	The territories which immediately before the commencement of this Constitution were being administered as if they were Chief Commissioners' Provinces under the names of Himachal Pradesh and Bilaspur.
45		

<i>Name</i>	<i>Extent</i>
4. Manipur	The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Manipur. 5
5. Tripura	The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Tripura. 10
6. The Andaman and Nicobar Islands.	The territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of the Andaman and Nicobar Islands. 15
7. The Laccadive, Minicoy and Amindivi Islands.	The territory specified in section 6 of the States Reorganisation Act, 1956." 15

Amendment
of article 80
and Fourth
Schedule.

3. (1) In article 80 of the Constitution,—

(a) in sub-clause (b) of clause (1), after the word "States", 20
the words "and of the Union territories" shall be added;

(b) in clause (2), after the words "of the States", the words
"and of the Union territories" shall be inserted;

(c) in clause (4), the words and letters "specified in Part
A or Part B of the First Schedule" shall be omitted; and 25

(d) in clause (5), for the words and letter "States specified
in Part C of the First Schedule", the words "Union territories"
shall be substituted.

(2) For the Fourth Schedule to the Constitution, the following
Schedule shall be substituted, namely:— 30

"FOURTH SCHEDULE

[Articles 4(1) and 80(2)]

Allocation of seats in the Council of States

To each State or Union territory specified in the first column of
the following table, there shall be allotted the number of seats 35
specified in the second column thereof opposite to that State or that
Union territory, as the case may be.

TABLE

1. Andhra-Telangana	..	18	
2. Assam	..	7	40

	3. Bihar	..	23
	4. Gujarat	..	11
	5. Kerala	..	9
	6. Madhya Pradesh	..	16
5	7. Madras	..	17
	8. Maharashtra	..	17
	9. Mysore	..	12
	10. Orissa	..	10
	11. Punjab	..	11
10	12. Rajasthan	..	10
	13. Uttar Pradesh	..	34
	14. West Bengal	..	15
	15. Jammu and Kashmir	..	4
	16. Bombay	..	3
15	17. Delhi	..	2
	18. Himachal Pradesh	..	1
	19. Manipur	..	1
	20. Tripura	..	1
	TOTAL		222"

20 4. For articles 81 and 82 of the Constitution, the following articles shall be substituted, namely:—

Substitution
of new arti-
cles for
articles 81
and 82.

"81. (1) Subject to the provisions of article 331, the House of the People shall consist of—

Composition
of the House
of the
People.

25 (a) not more than five hundred members chosen by direct election from territorial constituencies in the States, and

(b) not more than twenty members to represent the Union territories, chosen in such manner as Parliament may by law provide.

30 (2) For the purposes of sub-clause (a) of clause (1),—

(a) there shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and

(b) each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State.

(3) In this article, the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published. 5

Readjustment after each census.

82. Upon the completion of each census, the allocation of seats in the House of the People to the States and the division of each State into territorial constituencies shall be readjusted 10 by such authority and in such manner as Parliament may by law determine:

Provided that such readjustment shall not affect representation in the House of the People until the dissolution of the then existing House." 15

Amendment of article 131.

5. In article 131 of the Constitution, for the proviso, the following proviso shall be substituted, namely:—

"Provided that the said jurisdiction shall not extend to a dispute arising out of any treaty, agreement, covenant, engagement, *sanad* or other similar instrument which, having been 20 entered into or executed before the commencement of this Constitution, continues in operation after such commencement or which provides that the said jurisdiction shall not extend to such a dispute."

Amendment of article 153.

6. To article 153 of the Constitution, the following proviso shall 25 be added, namely:—

"Provided that nothing in this article shall prevent the appointment of the same person as Governor for two or more States."

Amendment of article 153.

7. (1) In clause (1) of article 168 of the Constitution, in sub- 30 clause (a), the word "Bombay" shall be omitted and after the word "Madras", the word "Mysore" shall be inserted.

(2) In the said sub-clause, as from such date as the President may, by public notification appoint, after the word "Bihar", the words "Madhya Pradesh" shall be inserted. 35

Substitution of new article for article 170.

8. For article 170 of the Constitution, the following article shall be substituted, namely:—

Composition of the Legislative Assemblies.

"170. (1) Subject to the provisions of article 333, the Legislative Assembly of each State shall consist of not more than five hundred, and not less than sixty, members chosen by direct 40 election from territorial constituencies in the State.

- (2) For the purposes of clause (1), each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the State.

Explanation.—In this clause, the expression “population” means the population as ascertained at the last preceding census of which the relevant figures have been published.

- (3) Upon the completion of each census, the total number of seats in the Legislative Assembly of each State and the division of each State into territorial constituencies shall be readjusted by such authority and in such manner as Parliament may by law determine:

- Provided that such readjustment shall not affect representation in the Legislative Assembly until the dissolution of the then existing Assembly.”.

9. In clause (1) of article 171 of the Constitution, for the word “one-fourth”, the word “one-third” shall be substituted. Amendment of article 171.

10. In article 216 of the Constitution, the proviso shall be omitted. Amendment of article 216.

11. In article 217 of the Constitution, in clause (1), for the words “shall hold office until he attains the age of sixty years”, the following words and figures shall be substituted, namely:— Amendment of article 217.

- “shall hold office, in the case of an additional or acting Judge, as provided in article 224, and in any other case, until he attains the age of sixty years”.

12. For article 220 of the Constitution, the following article shall be substituted, namely:— Substitution of new article for article 220.

- “220. No person who, after the commencement of this Constitution, has held office as a permanent Judge of a High Court shall plead or act in any court or before any authority in India except the Supreme Court and the other High Courts.”. Restriction on practice after being a permanent Judge.

13. In article 222 of the Constitution,—

- (a) in clause (1), the words “within the territory of India” shall be omitted; and

(b) clause (2) shall be omitted.

Amendment of article 222.

Substitution
of new article
for article
224.

14. For article 224 of the Constitution, the following article shall be substituted, namely:—

Appointment
of additional
and acting
Judges.

“224. (1) If by reason of any temporary increase in the business of a High Court or by reason of arrears of work therein, it appears to the President that the number of the Judges of that Court should be for the time being increased, the President may appoint duly qualified persons to be additional Judges of the Court for such period not exceeding two years as he may specify. 5

(2) When any Judge of a High Court other than the Chief Justice is by reason of absence or for any other reason unable to perform the duties of his office or is appointed to act temporarily as Chief Justice, the President may appoint a duly qualified person to act as a Judge of that Court until the permanent Judge has resumed his duties.”. 15

Substitution
of new articles
for articles 230, 231
and 232.

Extension of
jurisdiction
of High
Courts to
Union territories.

15. For articles 230, 231 and 232 of the Constitution, the following articles shall be substituted, namely:—

“230. (1) Parliament may by law extend the jurisdiction of a High Court to, or exclude the jurisdiction of a High Court from, any Union territory. 20

(2) Where the High Court of a State exercises jurisdiction in relation to a Union territory,—

(a) nothing in this Constitution shall be construed as empowering the Legislature of the State to increase, restrict or abolish that jurisdiction; and 25

(b) the reference in article 227 to the Governor shall, in relation to any rules, forms or tables for subordinate courts in that territory, be construed as a reference to the President.

Establishment
of a common
High Court
for two or
more States.

231. (1) Notwithstanding anything contained in the preceding provisions of this Chapter, Parliament may by law establish a common High Court for two or more States or for two or more States and a Union territory. 30

(2) In relation to any such High Court,—

(a) the reference in article 217 to the Governor of the State shall be construed as a reference to the Governors of all the States in relation to which the High Court exercises jurisdiction; 35

(b) the reference in article 227 to the Governor shall, in relation to any rules, forms or tables for subordinate courts be construed as a reference to the Governor of the State in which the subordinate courts are situate; and

5 (c) the references in articles 219 and 229 to the State shall be construed as a reference to the State in which the High Court has its principal seat:

10 Provided that if such principal seat is in a Union territory, the references in articles 219 and 229 to the Governor, Public Service Commission, Legislature and Consolidated Fund of the State shall be construed respectively as references to the President, Union Public Service Commission, Parliament and Consolidated Fund of India."

16. In Part VIII of the Constitution,—

Amendment
of Part VIII.

15 (a) for the heading "THE STATES IN PART C OF THE FIRST SCHEDULE", the heading "THE UNION TERRITORIES" shall be substituted; and

(b) for articles 239 and 240, the following articles shall be substituted, namely:—

20 "239. Every Union territory shall be administrated by the President acting, to such extent as he thinks fit, through a Chief Commissioner or other authority to be appointed by **him**;

Administra-
tion of
Union
territories.

25 Provided that the President may by regulation made under article 240 constitute for any such territory a council of advisers to the Chief Commissioner or other authority with such functions as may be specified in the regulation.

30 240. The President may make regulations for the peace and good government of any Union territory and any regulation so made may repeal or amend any law made by Parliament or any existing law which is for the time being applicable to any such territory and, when promulgated by the President shall have the same force and effect as an Act of Parliament which applies to such territory."

Power of
President to
make regula-
tions for
Union terri-
tories.

35 17. After article 258 of the Constitution, the following article shall be inserted, namely:—

Insertion of
new article
258A.

40 "258A. Notwithstanding anything in this Constitution, the Governor of a State may, with the consent of the Government of India, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the State extends."

Power of
the States
to entrust
functions to
the Union.

Insertion of
new article
290A.

18. After article 290 of the Constitution, the following article shall be inserted, namely:—

Annual pay-
ment to the
Travancore
Devaswom
Board.

“290A. A sum of forty-six lakhs and fifty thousand rupees shall be charged on, and paid out of, the Consolidated Fund of the State of Kerala every year to the Travancore Devaswom Board.” 5

Substitution
of new arti-
cle for article
298.
Power to
carry on
trade, etc.

19. For article 298 of the Constitution, the following article shall be substituted, namely:—

“298. The executive power of the Union and of each State shall extend to the carrying on of any trade or business and to the acquisition, holding and disposal of property and the making of contracts for any purpose: 10

Provided that—

(a) the said executive power of the Union shall, in so far as such trade or business or such purpose is not one with respect to which Parliament may make laws, be subject in each State to legislation by the State; and 15

(b) the said executive power of each State shall, in so far as such trade or business or such purpose is not one with respect to which the State Legislature may make laws, be subject to legislation by Parliament.” 20

Insertion of
new article
350A.

20. After article 350 of the Constitution, the following article shall be inserted, namely:—

Facilities for
instruction
in mother-
tongue at
primary
stage.

“350A. It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups; and the President may issue such directions to any State as he considers necessary or proper for securing the provision of such facilities.” 25 30

Substitution
of new article
for article
371.

Special
provision
with respect
to the States
of Andhra-
Telangana
and Punjab.

21. For article 371 of the Constitution, the following article shall be substituted, namely:—

“371. Notwithstanding anything in this Constitution, the President may, by order made with respect to the State of Andhra-Telangana or Punjab, provide for the constitution and functions of regional committees of the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the 35

Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees.”.

22. In the Second Schedule to the Constitution,—

Amendment
of the Second
Schedule.

5 (a) in the heading of Part D, the words and letter “in States in Part A of the First Schedule” shall be omitted; and

(b) in paragraph 10,—

(i) for sub-paragraph (1), the following sub-paragraph shall be substituted, namely:—

10 (1) There shall be paid to the Judges of High Courts, in respect of time spent on actual service, salary at the following rates per mensem, that is to say,—

15 A. In the case of any High Court other than the High Court of Kerala, Mysore or Rajasthan—

	Rs.
The Chief Justice	4,000
Any other Judge	3,500

B. In the case of the High Courts of Kerala, Mysore or Rajasthan—

20 The Chief Justice	3,000
Any other Judge	2,500

25 Provided that if a Judge of any such High Court at the time of his appointment is in receipt of a pension (other than a disability or wound pension) in respect of any previous service under the Government of India or any of its predecessor Governments or under the Government of a State or any of its predecessor Governments, his salary in respect of service in the High Court shall be reduced by the amount of that pension. ”;

30

(ii) sub-paragraphs (3) and (4) shall be omitted.

23. In the Seventh Schedule to the Constitution, entry 33 of the Union List and entry 36 of the State List shall be omitted and for entry 42 of the Concurrent List, the following entry shall be substituted, namely:—

Modification
of entries in
the Lists rela-
ting to acqui-
sition and re-
quisitioning
of property.

“42. Acquisition and requisitioning of property.”.

35

Amendment
of certain pro-
visions rela-
ting to ancient
and historical
monuments,
etc.

24. In each of the following provisions of the Constitution, namely:—

- (i) entry 67 of the Union List,
- (ii) entry 12 of the State List,
- (iii) entry 40 of the Concurrent List, and
- (iv) article 49,

5

for the words "declared by Parliament by law", the words "declared by or under law made by Parliament" shall be substituted.

Amendment
of entry 24 of
State List.

25. In the Seventh Schedule to the Constitution, in entry 24 of the State List, for the word and figures "entry 52", the words and figures "entries 7 and 52" shall be substituted.

10

Consequential
and minor
amendments
and repeals
and savings.

26. (1) The consequential and minor amendments and repeals directed in the Schedule shall be made in the Constitution and in the Constitution (Removal of Difficulties) Order, No. VIII, made under article 392 of the Constitution.

15

(2) Notwithstanding the repeal of article 243 of the Constitution by the said Schedule, all regulations made by the President under that article and in force immediately before the commencement of this Act shall continue in force until altered or repealed or amended by a competent Legislature or other competent authority.

20

THE SCHEDULE

(See section 26)

CONSEQUENTIAL AND MINOR AMENDMENTS AND REPEALS IN THE CONSTITUTION

Article 3.—In the proviso, omit "specified in Part A or Part B of the First Schedule".

Article 31A.—In sub-clause (a) of clause (2), for "Travancore-Cochin" substitute "Kerala".

Article 58.—In the *Explanation*, omit "or Rajpramukh or Uparajpramukh".

30

Article 66.—In the *Explanation*, omit "or Rajpramukh or Uparajpramukh".

Article 72.—In clause (3), omit "or Rajpramukh".

Article 73.—In the proviso to clause (1), omit "specified in Part A or Part B of the First Schedule".

35

Article 101.—In clause (2), omit "specified in Part A or Part B of the First Schedule", and for "such a State" substitute "a State".

Article 112.—In sub-clause (d) (iii) of clause (3), for “a Province corresponding to a State specified in Part A of the First Schedule”, substitute “a Governor’s Province of the Dominion of India”.

Article 151.—In clause (2), omit “or Rajpramukh”.

5 *Part VI.*—In the heading, omit “IN PART A OF THE FIRST SCHEDULE”.

Article 152.—For “means a State specified in Part A of the First Schedule” substitute “does not include the State of Jammu and Kashmir”.

10 *Article 208.*—Omit clause (2) and renumber clause (3) as clause (2).

Article 209.—Omit “or with any rule or standing order having effect in relation to the Legislature of the State under clause (2) of that article”.

15 *Article 214.*—Omit “(1)” and clauses (2) and (3).

Article 219.—Omit “in a State”.

Article 229.—In the proviso to clause (1) and in the proviso to clause (2), omit “in which the High Court has its principal seat”.

Omit Part VII.

20 *Article 241.*—(a) In clause (1), for “State specified in Part C of the First Schedule”, substitute “Union territory”, and for “such State”, substitute “such territory”.

(b) For clauses (3) and (4), substitute—

25 “(3) Subject to the provisions of this Constitution and to the provisions of any law of the appropriate Legislature made by virtue of powers conferred on that Legislature by or under this Constitution, every High Court exercising jurisdiction immediately before the commencement of the Constitution (Sixth Amendment) Act, 1956, in relation to any Union territory shall
30 continue to exercise such jurisdiction in relation to that territory after such commencement.

(4) Nothing in this article derogates from the power of Parliament to extend or exclude the jurisdiction of a High Court for a State to, or from, any Union territory or part thereof.”.

35 *Omit article 242.*

Omit Part IX.

Article 244.—Omit “specified in Part A or Part B of the First Schedule”.

Article 246.—In clauses (2) and (3), omit “specified in Part A or Part B of the First Schedule” and in clause (4), for “in Part A or Part B of the First Schedule” substitute “in a State”.

Article 254.—In clause (2), omit “specified in Part A or Part B of the First Schedule”. 5

Article 255.—Omit “specified in Part A or Part B of the First Schedule”.

Omit article 259.

Article 264.—For article 264, substitute—

Interpreta-
tion.

264. In this Part, ‘Finance Commission’ means a Finance Commission constituted under article 280.”

Article 267.—In clause (2), omit “or Rajpramukh”.

Article 268.—In clause (1), for “State specified in Part C of the First Schedule” substitute “Union territory”.

Article 269.—In clause (2), for “States specified in Part C of the First Schedule” substitute “Union territories”. 15

Article 270.—In clauses (2) and (3), for “States specified in Part C of the First Schedule” substitute “Union territories”.

Omit article 278.

Article 280.—In clause (3), omit sub-clause (c) and re-letter sub-clause (d) as sub-clause (c). 20

Article 283.—In clause (2), omit “or Rajpramukh”.

Article 291.—Omit “(1)” and clause (2).

Article 299.—In clause (1), omit “or the Rajpramukh”, and in clause (2), omit “nor the Rajpramukh”. 25

Omit article 306.

Article 308.—For “means a State specified in Part A or Part B of the First Schedule” substitute “does not include the State of Jammu and Kashmir”.

Article 309.—Omit “or Rajpramukh”. 30

Article 310.—In clause (1), omit “or, as the case may be, the Rajpramukh”, and in clause (2), omit “or Rajpramukh” and “or the Rajpramukh”.

Article 311.—In clause (2), omit “or Rajpramukh”.

Article 315.—In clause (4), omit “or Rajpramukh”.

Article 316.—In clauses (1) and (2), omit “or Rajpramukh”.

Article 317.—In clause (2), omit “or Rajpramukh”.

Article 318.—Omit “or Rajpramukh”.

5 *Article 320.*—In clause (3), omit “or Rajpramukh” and “or Rajpramukh, as the case may be”, and in clause (5), omit “or Rajpramukh”.

Article 323.—In clause (2), omit “or Rajpramukh” and “or Rajpramukh, as the case may be”.

10 *Article 324.*—In clause (6), omit “or Rajpramukh”.

Article 332.—In clause (1), omit “specified in Part A or Part B of the First Schedule”.

Article 333.—Omit “or Rajpramukh”.

Article 337.—Omit “specified in Part A or Part B of the First
15 Schedule”.

Article 339.—In clause (1), omit “specified in Part A and Part B of the First Schedule” and in clause (2), for “any such State” substitute “a State”.

Article 341.—In clause (1), after “any State” insert “or Union
20 territory”, omit “specified in Part A or Part B of the First Schedule”, omit “or Rajpramukh” and after “that State” insert “or Union territory, as the case may be”.

Article 342.—In clause (1), after “any State” insert “or Union
territory”, omit “specified in Part A or Part B of the First Schedule”,
25 omit “or Rajpramukh” and after “that State” insert “or Union territory, as the case may be”.

Article 348.—Omit “or Rajpramukh”.

Article 356.—In clause (1), omit “or Rajpramukh” and “or
Rajpramukh, as the case may be”.

30 *Article 361.*—In clauses (2), (3) and (4), omit “or Rajpramukh” and in clause (4), omit “or the Rajpramukh”.

Article 366.—Omit clause (21), and for clause (30), substitute—

“ (30) ‘Union territory’ means any Union territory specified
in the First Schedule and includes any other territory comprised
35 within the territory of India but not specified in that Schedule”.

Article 367.—In clause (2), omit “specified in Part A or Part B of the First Schedule” and “or Rajpramukh”.

Article 368.—Omit “specified in Parts A and B of the First Schedule”.

Omit articles 379 to 391, both inclusive.

5

Second Schedule.—(a) In the heading of Part A and in paragraph 1, omit “specified in Part A of the First Schedule”;

(b) in paragraph 2, omit “so specified”;

(c) in paragraph 3, for “such States” substitute “the States”;

(d) in the heading of Part B, omit “in Part A and Part B of the 10 First Schedule”;

(e) in paragraph 6, omit “specified in Part A or Part B of the First Schedule”;

(f) in the heading of Part C, omit “of a State in Part A of the First Schedule”, and for “any such State” substitute “a State”; and 15

(g) in paragraph 8, omit “of a State specified in Part A of the First Schedule”, and for “such State” substitute “a State”.

Fifth Schedule.—(a) In paragraph 1, omit “means a State specified in Part A or Part B of the First Schedule but”;

(b) in paragraph 3, omit “or Rajpramukh”;

20

(c) in paragraph 4, in sub-paragraph (2), omit “or Rajpramukh, as the case may be” and in sub-paragraph (3), omit “or Rajpramukh”.

(d) in paragraph 5, in sub-paragraphs (1) and (2), omit “or Rajpramukh, as the case may be”, in sub-paragraph (3), omit “or Rajpramukh” and in sub-paragraph (5), omit “or the Rajpramukh”. 25

Seventh Schedule.—In List I,—

(a) in entry 32, omit “specified in Part A or Part B of the First Schedule”; and

(b) for entry 79, substitute,—

• “79. Extension of the jurisdiction of a High Court to, and 30 exclusion of the jurisdiction of a High Court from, any Union territory.”

CONSEQUENTIAL AMENDMENTS IN THE CONSTITUTION (REMOVAL OF
DIFFICULTIES) ORDER No. VIII

In the Constitution (Removal of Difficulties) Order No. VIII, for sub-paragraphs (1), (2) and (3) of paragraph 2, substitute—

“(1) In article 81,—

(a) in sub-clause (b) of clause (1), after the words “Union territories”, the words, letter and figures “and the tribal areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule” shall be inserted; and

(b) to clause (2), the following proviso shall be added, namely:—

“Provided that the constituencies into which the State of Assam is divided shall not comprise the tribal areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule.”

(2) In clause (2) of article 170, after the words “throughout the State” the following proviso shall be inserted, namely:—

“Provided that the constituencies into which the State of Assam is divided shall not comprise the tribal areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule.”.

STATEMENT OF OBJECTS AND REASONS

In order to implement the scheme of States reorganisation, it is necessary to make numerous amendments in the Constitution with effect from the 1st October, 1956. This Bill seeks to make these amendments and also some other amendments to certain provisions of the Constitution relating to the High Courts and High Court Judges, the executive power of the Union and the States; and a few entries in the legislative lists. The reasons for making the amendments are indicated below.

Clause 2.—The reorganisation scheme involves not only the establishment of new States and alterations in the area and boundaries of the existing States, but also the abolition of the three categories of States (Part A, Part B and Part C States) and the classification of certain areas as Union territories. Article 1 has to be suitably amended for this purpose and the First Schedule completely revised.

Clause 3.—The amendments proposed in article 80 are formal and consequential. The territorial changes and the formation of new States and Union territories as proposed in Part II of the States Reorganisation Bill, 1956, involve a complete revision of the Fourth Schedule of the Constitution by which the seats in the Council of States are allocated to the existing States. The present allocation is made on the basis of the population of each State as ascertained at the census of 1941 and the number of seats allotted to each Part A and Part B State is according to the formula, one seat per million for the first five millions and one seat for every additional two millions or part thereof exceeding one million. It is proposed to revise the allocation of seats on the basis of the latest census figures, but according to the same formula as before.

Clause 4.—The abolition of Part C States as such and the establishment of Union territories make extensive amendment of articles 81 and 82 inevitable. The provision in article 81(1) (b) that “the States shall be divided, grouped or formed into territorial constituencies” will no longer be appropriate, since after reorganisation each of the States will be large enough to be divided into a number of constituencies and will not permit of being grouped together with other States for this purpose or being “formed” into a single territorial constituency. Clause (2) of article 81 and article 82 will require to be combined and revised in order to make suitable provision for Union territories. Instead of amending the articles piecemeal, it is proposed to revise and simplify them. Incidentally, it is proposed in clause (1) (b) of the revised article 81 to fix a maximum for the total number of representatives that may be assigned to the Union territories by Parliament.

Clause 5.—The proposed revision of the proviso to article 131 is consequential on the disappearance of Part B States as such. The two parts of the existing proviso have been combined.

Clause 6.—Article 153 provides that there shall be a Governor for each State. Since it may be desirable in certain circumstances to appoint a Governor for two or more States, it is proposed to add a proviso to this article to remove any possible technical bar to such an appointment.

Clause 7.—Sub-clause (a) of clause (1) of article 168 provides for bi-cameral legislatures in certain States. It is proposed that, among the reorganised States, Punjab and Mysore should continue to have such a legislature, and that the enlarged Madhya Pradesh should also be provided with one. Since the constitution of a Legislative Council for Madhya Pradesh will necessarily take time, it is proposed to bring the relevant amendment of article 168 (1) (a) into force from a future date by means of a public notification of the President.

Clause 8.—This seeks to revise article 170 mainly with a view to bringing it into line with articles 81 and 82 as revised by clause 4.

Clause 9.—Under clause (1) of article 171, the maximum strength of the Legislative Council of a State is fixed at one-fourth of the strength of the Legislative Assembly of that State. Although in the larger States, like Uttar Pradesh and Bihar, this maximum is adequate, it leads to difficulties in the case of the smaller States. It is, therefore, proposed to alter the maximum to one-third of the strength of the Legislative Assembly.

Clause 10.—Article 216 empowers the President to appoint to a High Court as many judges as he may from time to time deem it necessary and also to fix the maximum number of judges for each High Court by a separate order. The proviso is of little significance from the practical point of view, since the order fixing the maximum may be changed by the President whenever necessary. The appointment of additional and acting judges for which provision is sought to be made in clause 14 will also involve either frequent modifications in the order or a fixation of the maximum number at a high figure. It is, therefore, proposed to omit the proviso to article 216.

Clause 11.—The amendment of clause (1) of article 217 proposed in this clause is consequential on the proposal to provide for the appointment of additional and acting judges for limited periods.

Clause 12.—An important factor affecting the selection of High Court Judges from the bar is the total prohibition contained in article 220 on practice after their retirement from the bench. It is proposed to revise the article so as to relax this complete ban and permit a retired judge to practise in the Supreme Court and in any High Court other than the one in which he was a permanent judge.

Clause 13.—Article 222 empowers the President to transfer judges from one High Court to another. Clause (2) of this article goes on to provide that when a judge is so transferred he shall be entitled to receive in addition to his salary a compensatory allowance. It is felt that there is no real justification for granting such an allowance and it is accordingly proposed to omit clause (2).

Clause 14.—The provision in article 224 for recalling retired judges to function on the bench of a High Court for short periods has been found to be neither adequate nor satisfactory. It is, therefore, proposed to replace this article by a provision for the appointment of additional judges to clear off arrears and for the appointment of acting judges in temporary vacancies.

Clause 15.—It is proposed to revise and simplify articles 230, 231 and 232 having regard to the constitutional position of States and Union territories after reorganisation. While under article 214 there will normally be a separate High Court for each State, power will be required to establish common High Courts for two or more States. Power will also be required to extend the jurisdiction of a High Court to a Union territory, wherever necessary, and to exclude the jurisdiction of a High Court from such territory. The revised articles 230 and 231 are designed to make these provisions.

Clause 16.—Part VIII of the Constitution provides for the administration of Part C States and Part IX for the administration of Part D territories. It is proposed to amend Part VIII to provide for the administration of Union territories and to repeal Part IX.

Clause 17.—While the President is empowered by article 258 (1) to entrust Union functions to a State Government or its officers there is no corresponding provision enabling the Governor of a State to entrust State functions to the Central Government or its officers. This lacuna has been found to be of practical consequence in connection with the execution of certain development projects in the States. It is proposed to fill the lacuna by a new article 258A.

Clause 18.—Article VIII of the Covenant entered into by the Rulers of Travancore and Cochin in May, 1949, for the formation of the United State of Travancore and Cochin provided that Travancore's obligation to contribute annually a sum of Rs. 51 lakhs to

the Travancore Devaswom Fund should continue as an obligation of the United State. This arrangement was confirmed by article 238(10) (ii) of the Constitution. It is proposed that the existing arrangement should be continued even after the formation of the new State of Kerala, but the contribution to the Travancore Devaswom Board from the Consolidated Fund of that State should, in view of the transfer of territory from Travancore-Cochin to Madras, be reduced from Rs. 51 lakhs to Rs. 46.5 lakhs.

Clause 19.—In this clause it is proposed to revise and amplify the scope of article 298, mainly to make it clear that the Union Government, as well as the State Governments, are competent to carry on any commercial or industrial undertaking, whether or not it is related to a matter within the legislative competence of the Union, or, as the case may be, of the State. Similarly, the holding, acquisition and disposal of property and the making of contracts by the Union or a State could be for any purpose without constitutional impropriety. At the same time, the revised article provides that this extended executive power of the Union and of the States will be subject, in the former case, to legislation by the State, and in the latter case, to legislation by Parliament.

Clause 20.—The new article 350A proposed in this clause is designed to implement one of the States Reorganisation Commission's important recommendations regarding safeguards for linguistic minorities in the States after reorganisation.

Clause 21.—It is proposed to replace article 371 by another article making a special provision with respect to the States of Andhra and Punjab. This article will enable the President to constitute regional committees of the State Legislative Assembly and secure their proper functioning by directing suitable modifications to be made in the rules of business of Government and in the rules of procedure of the Assembly.

Clause 22.—The High Court of Travancore-Cochin will, as from the appointed day, become the High Court for the new State of Kerala and the High Courts of Mysore and Rajasthan will continue, respectively, as the High Courts for the enlarged "new" States with the same names. Taking into account the level of income at the bar and salaries payable to the judicial services in these States, it is considered that there is no need to increase the salaries payable to the Judges of these High Courts to the level of the other High Courts. It is proposed to amend sub-paragraph (1) of paragraph 10 of the Second Schedule to the Constitution providing for a salary of Rs. 3,000 to the Chief Justices, and Rs. 2,500 to the other Judges, of these three High Courts.

Sometimes it becomes necessary to appoint a retired district judge as a judge of a High Court. In the absence of a legal provision for withholding the pension due to such a judge, it has been the practice to obtain from him an undertaking that he would not claim the pension for the period for which he serves as a High Court judge. Since this is obviously unsatisfactory, it is proposed to add a proviso to paragraph 10(1) of the Second Schedule on the same lines as the proviso to paragraph 9(1) thereof regulating the salary of a judge of the Supreme Court in similar circumstances.

Sub-paragraphs (3) and (4) of paragraph 10 are no longer required, since appropriate provision has been made in the High Court Judges (Conditions of Service) Act, 1954.

Clause 23.—The existence of three entries in the legislative lists (33 of List I, 36 of List II and 42 of List III) relating to the essentially single subject of acquisition and requisitioning of property by the Government gives rise to unnecessary technical difficulties in legislation. In order to avoid these difficulties and simplify the constitutional position, it is proposed to omit the entries in the Union and State List and replace the entry in the Concurrent List by a comprehensive entry covering the whole subject.

Clause 24.—Entry 67 of the Union List refers to “ancient and historical monuments and records, and archæological sites and remains, declared by Parliament by law to be of national importance”. A large number of ancient monuments, archæological sites, etc., have been declared to be of national importance by an Act of Parliament. It requires another Act of Parliament to make the slightest alteration in, or addition to, the lists in that Act, which seems to be an unduly cumbrous procedure. It is, therefore, proposed to amend the entry substituting for the words “declared by Parliament by law”, the words “declared by or under law made by Parliament”. The same amendment is also proposed to be made in the connected provisions, entry 12 of the State List, entry 40 of the Concurrent List and article 49.

Clause 25.—Although the Union List has two entries 7 and 52, relating to industries, the latter alone is referred to in entry 24 of List II. The omission of entry 7 of List I appears to be due to an oversight and is sought to be rectified in this clause.

Clause 26 and the Schedule.—These contain the consequential and minor amendments and repeals proposed to be made in the Constitution and in the Constitution (Removal of Difficulties) Order No. VIII pertaining to the Assam tribal areas.

GOVIND BALLABH PANT.

NEW DELHI;
The 14th April, 1956.

*BILL NO. 30 OF 1956

*A Bill to provide for the reorganisation of the States of India and
for matters connected therewith*

Be it enacted by Parliament in the Seventh Year of the Republic
of India as follows:—

PART I
PRELIMINARY

- 5 1. This Act may be called the States Reorganisation Act, 1956. Short title.
2. In this Act, unless the context otherwise requires,— Definitions.
- (a) “appointed day” means the 1st day of October, 1956;
- (b) “article” means an article of the Constitution;
- 10 (c) “assembly constituency”, “council constituency” and
 “parliamentary constituency” have the same meaning as in the
43 of 1950. Representation of the People Act, 1950;
- (d) “corresponding new State” means, in relation to the
existing State of Madhya Pradesh, Mysore, Punjab or Rajasthan,
the new State with the same name, and in relation to the
15 existing State of Travancore-Cochin, the new State of Kerala;
- (e) “corresponding State” means, in relation to the new
State of Madhya Pradesh, Mysore, Punjab or Rajasthan, the
existing State with the same name, in relation to the new
States of Gujarat or Maharashtra, the existing State of Bombay,
20 and in relation to the new State of Kerala, the existing State
of Travancore-Cochin;

*The President has, in pursuance of article 3 and clauses (1) and (3) of article 117 of the Constitution of India, recommended to Lok Sabha the introduction and consideration of the Bill.

(f) "Election Commission" means the Election Commission appointed by the President under article 324;

(g) "existing State" means a State specified in the First Schedule to the Constitution at the commencement of this Act;

(h) "law" includes any enactment, ordinance, regulation, 5
order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or in any part of the territory of India;

(i) "new State" means a State formed by the provisions of Part II; 10

(j) "notified order" means an order published in the Official Gazette;

(k) "population ratio", in relation to the successor States of an existing State means such ratio as the Central Government may by notified order specify to be the ratio in which the 15
population of that existing State as ascertained at the last census is distributed territorially among the several successor States by virtue of the provisions of Part II;

(l) "prescribed" means prescribed by rules made under this Act; 20

(m) "principal successor State" means—

(i) in relation to the existing State of Madhya Pradesh, Madras or Rajasthan, the State with the same name; and

(ii) in relation to the existing States of Bombay, Hyderabad, Madhya Bharat and Travancore-Cochin, the 25
States of Maharashtra, Andhra-Telangana, Madhya Pradesh and Kerala, respectively;

(n) "sitting member" in relation to either House of Parliament or of the Legislature of a State means a person who immediately before the appointed day is a member of that 30
House;

(o) "successor State", in relation to an existing State, means any State to which the whole or any part of the territories of that existing State is transferred by the provisions of Part II, and includes— 35

(i) in relation to the existing State of Madras, also that State as territorially altered by the said provisions; and

(ii) in relation to the existing State of Bombay or Madras a part of whose territories becomes a Union territory, also the Union; 40

(p) "transferred territory" means any territory transferred from an existing State to another existing State or to a new State by the provisions of Part II;

(q) "treasury" includes a sub-treasury; and

5 (r) any reference to a district, taluk, tehsil or other territorial division of a State shall be construed as a reference to the area comprised within that territorial division on the 1st day of March, 1956.

PART II

10 TERRITORIAL CHANGES AND FORMATION OF NEW STATES

3. (1) As from the appointed day, there shall be added to the State of Andhra the territories comprised in—

(a) the districts of Hyderabad, Medak, Nizamabad, Adilabad, Karimnagar, Warangal, Khammam, Nalgonda and Mahbubnagar; 15

(b) Alampur and Gadwal taluks of Raichur district;

(c) Kodangal and Tandur taluks of Gulbarga district; and

(d) Narayankhed and Zahirabad taluks of Bidar district;

and thereupon the said territories shall cease to form part of the 20 existing State of Hyderabad and the State of Andhra shall be known as the State of Andhra-Telangana.

(2) The territories referred to in clauses (b) and (c) of sub-section (1) shall be included in, and become part of, Mahbubnagar district and the territories referred to in clause (d) of sub-section (1) 25 shall be included in, and become part of, Medak district, in the State of Andhra-Telangana.

4. As from the appointed day, there shall be added to the State of Madras the territories comprised in the Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks of Trivandrum district and the 30 Shencottah taluk (excluding Puliwara Hill pakuthy) of Quilon district; and thereupon the said territories—

(a) shall cease to form part of the existing State of Travancore-Cochin, and

35 (b) shall be included in, and become part of, Tirunelveli district in the State of Madras.

5. (1) As from the appointed day, there shall be formed a new State to be known as the State of Kerala comprising the following territories, namely:—

40 (a) the territories of the existing State of Travancore-Cochin, excluding the territories transferred to the State of Madras by section 4; and

Transfer of territory from Hyderabad to Andhra and alteration of name.

Transfer of territory from Travancore-Cochin to Madras.

Formation of Kerala State.

(b) the territories comprised in—

(i) Malabar district, excluding the islands of Laccadive and Minicoy, and

(ii) Kasaragod taluk of South Kanara district; and thereupon the said territories shall cease to form part of the States of Travancore-Cochin and Madras, respectively.

(2) The territories specified in clause (b) of sub-section (1) shall form a separate district to be known as Malabar district in the State of Kerala.

Laccadive,
Minicoy
and Amindivi
Islands.

6. As from the appointed day, the Laccadive, Minicoy and Amindivi Islands shall cease to form part of the State of Madras and shall become a Union territory.

Formation
of a new
Mysore
State.

7. (1) As from the appointed day, there shall be formed a new State to be known as the State of Mysore comprising the following territories, namely:—

(a) the territories of the existing State of Mysore;

(b) Belgaum district except Chandgad taluka and Bijapur, Dharwar and Kanara districts, in the existing State of Bombay;

(c) Gulbarga district except Kodangal and Tandur taluks, Raichur district except Alampur and Gadwal taluks, and Bidar, Bhalki, Humnabad and Santpur (Aurad) taluks of Bidar district, in the existing State of Hyderabad;

(d) South Kanara district except Kasaragod taluk and Amindivi Islands, and Kollegal taluk of Coimbatore district, in the State of Madras; and

(e) the territories of the existing State of Coorg;

and thereupon the said territories shall cease to form part of the said existing States of Mysore, Bombay, Hyderabad, Madras and Coorg, respectively.

(2) The territories comprised in the existing State of Coorg shall form a separate district to be known as Coorg district, the said taluks of Bidar, Bhalki, Humnabad and Santpur (Aurad) shall be included in, and become part of, Gulbarga district, and the said Kollegal taluk shall be included in, and become part of, Mandya district, in the new State of Mysore.

Bombay.

8. As from the appointed day, the territory comprised in—

(a) Greater Bombay district,

(b) Borivali taluka of Thana district, except the villages of Bhayandar, Dongri, Ghod Bunder, Kashi, Maroshi, Mire, Rai Murdhe and Uttan, and

(c) the villages of Kopari, Mulund, Nahur and Turmbhe in Thana taluka of Thana district,

shall cease to form part of the existing State of Bombay, and shall become a Union territory.

- 5 9. (1) As from the appointed day, there shall be formed a new State to be known as the State of Maharashtra comprising the following territories, namely:— Formation of Maharashtra State.

10 (a) Thana district except the portions specified in clauses (b) and (c) of section 8, West Khandesh, East Khandesh, Nasik, Dangs, Ahmednagar, Sholapur, South Satara, North Satara, Kolhapur, Ratnagiri, Kolaba and Poona districts, and Chandgad taluka of Belgaum district, in the existing State of Bombay;

15 (b) Osmanabad, Bhir, Aurangabad, Parbhani, and Nanded districts and Ahmadpur, Nilanga and Udgir taluks of Bidar district, in the existing State of Hyderabad; and

(c) Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda districts in the existing State of Madhya Pradesh;

20 and thereupon the said territories shall cease to form part of the existing States of Bombay, Hyderabad and Madhya Pradesh, respectively.

(2) The said Chandgad taluka shall be included in, and become part of, Kolhapur district, and the said Ahmadpur, Nilanga and Udgir taluks shall be included in, and become part of, Osmanabad district, in the State of Maharashtra.

10. (1) As from the appointed day, there shall be formed a new State to be known as the State of Gujarat comprising the following territories, namely:— Formation of Gujarat State.

30 (a) Banaskantha district except Abu Road taluka, and Amreli, Mehsana, Sabarkantha, Ahmedabad, Kaira, Panchmahals, Baroda, Broach and Surat districts, in the existing State of Bombay;

(b) the territories of the existing State of Saurashtra; and

(c) the territories of the existing State of Kutch;

35 and thereupon the said territories shall cease to form part of the existing States of Bombay, Saurashtra and Kutch, respectively.

(2) The territory comprised in the existing State of Kutch shall form a separate district to be known as Kutch district.

Formation
of a new
Madhya
Pradesh
State.

11. (1) As from the appointed day, there shall be formed a new State to be known as the State of Madhya Pradesh comprising the following territories, namely:—

(a) the territories of the existing State of Madhya Pradesh, except the districts mentioned in clause (c) of sub-section (1) 5 of section 9;

(b) the territories of the existing State of Madhya Bharat, except Sunel tappa of Bhanpura tahsil of Mandsaur district;

(c) Sironj sub-division of Kotah district in the existing State of Rajasthan; 10

(d) the territories of the existing State of Bhopal; and

(e) the territories of the existing State of Vindhya Pradesh;

and thereupon the said territories shall cease to form part of the existing States of Madhya Pradesh, Madhya Bharat, Rajasthan, Bhopal and Vindhya Pradesh, respectively. 15

(2) The said Sironj sub-division shall be included in, and become part of, Bhilsa district in the new State of Madhya Pradesh.

Formation
of a new
Rajasthan
State.

12. (1) As from the appointed day, there shall be formed a new State to be known as the State of Rajasthan comprising the following territories, namely:— 20

(a) the territories of the existing State of Rajasthan, except Sironj sub-division of Kotah district;

(b) the territories of the existing State of Ajmer;

(c) Abu Road taluka of Banaskantha district in the existing State of Bombay; and 25

(d) Sunel tappa of Bhanpura tahsil of Mandsaur district in the existing State of Madhya Bharat;

and thereupon the said territories shall cease to form part of the said States of Rajasthan, Ajmer, Bombay and Madhya Bharat, respectively. 30

(2) The territories comprised in the existing State of Ajmer shall form a separate district to be known as Ajmer district, and the territories referred to in clauses (c) and (d) of sub-section (1) shall be included in, and become part of, Sirohi and Jhalawar districts, respectively, in the new State of Rajasthan. 35

13. As from the appointed day, there shall be formed a new State to be known as the State of Punjab comprising the following territories, namely:—

Formation of a new Punjab State.

(a) the territories of the existing State of Punjab; and

5 (b) the territories of the existing State of Patiala and East Punjab States Union;

and thereupon the said territories shall cease to form part of the said existing States of Punjab and Patiala and East Punjab States Union, respectively.

10 14. Nothing in the foregoing provisions of this Part shall be deemed to affect the power of a State Government to alter after the appointed day the name, extent and boundaries of any district or division in the State.

Saving powers of State Governments.

PART III

15 ZONES AND ZONAL COUNCILS

15. As from the appointed day, there shall be a Zonal Council for each of the following five zones, namely:—

Establishment of Zonal Councils.

20 (a) the Northern Zone, comprising the States of Punjab, Rajasthan and Jammu and Kashmir and the Union territories of Delhi and Himachal Pradesh;

(b) the Central Zone, comprising the States of Uttar Pradesh and Madhya Pradesh;

25 (c) the Eastern Zone, comprising the States of Bihar, West Bengal, Orissa and Assam, and the Union territories of Manipur and Tripura;

(d) the Western Zone, comprising the States of Maharashtra and Gujarat and the Union territory of Bombay; and

(e) the Southern Zone, comprising the States of Andhra-Telangana, Madras, Mysore and Kerala.

30 16. (1) The Zonal Council for each zone shall consist of the following members, namely:—

Composition of the Councils.

(a) a Union Minister to be nominated by the President;

35 (b) the Chief Minister of each of the States included in the zone and two other Ministers of each such State to be nominated by the Governor;

(c) where any Union territory is included in the zone, one member from each such territory to be nominated by the President;

(d) in the case of the Eastern Zone, the person for the time being holding the office of the Adviser to the Governor of Assam for Tribal Areas.

(2) The Union Minister nominated under clause (a) of subsection (1) to a Zonal Council shall be its Chairman. 5

(3) The Chief Ministers of the States included in each zone shall act as Vice-Chairman of the Zonal Council for that zone by rotation, each holding office for a period of one year at a time.

(4) The Zonal Council for each zone shall have the following persons as Advisers to assist the Council in the performance of its 10 duties, namely:—

(a) one person nominated by the Planning Commission;

(b) the persons for the time being holding the offices of Chief Secretaries in the States included in the zone; and

(c) the persons for the time being holding the offices of 15 Development Commissioners in the States included in the zone.

(5) Every Adviser to a Zonal Council shall have the right to take part in the discussions of the Council or of any Committee thereof of which he may be named a member but shall not have a right to vote at a meeting of the Council or of any such Committee. 20

Meetings of
the Council.

17. (1) Each Zonal Council shall meet at such time as the Chairman of the Council may appoint in this behalf and shall, subject to the other provisions of this section, observe such rules of procedure in regard to transaction of business at its meetings as it may, with the approval of the Central Government, lay down 25 from time to time.

(2) The Zonal Council for each zone shall, unless otherwise determined by it, meet in the States included in that zone by rotation.

(3) The Chairman or in his absence the Vice-Chairman or in 30 the absence of both the Chairman and the Vice-Chairman, any other Member chosen by the members present from amongst themselves shall preside at a meeting of the Council.

(4) All questions at a meeting of a Zonal Council shall be decided by a majority of votes of the Members present and in the 35 case of an equality of votes the Chairman or, in his absence any other person presiding shall have a second or casting vote.

(5) The proceedings of every meeting of a Zonal Council shall be forwarded to the Central Government and also to each State Government concerned. 40

18. (1) A Zonal Council may from time to time by resolution passed at a meeting appoint Committees of its members and Advisers for performing such functions as may be specified in the resolution and may associate with any such Committee, such Ministers either for the Union or for the States and such officers serving either in connection with the affairs of the Union or of the States as may be nominated in that behalf by the Council. Power to appoint Committees.

(2) A person associated with a Committee of a Zonal Council under sub-section (1) shall have the right to take part in the discussions of the Committee, but shall not have a right to vote at a meeting thereof.

(3) A Committee appointed under sub-section (1) shall observe such rules of procedure in regard to transaction of business at its meetings as the Zonal Council may, with the approval of the Central Government, lay down from time to time.

19. (1) Each Zonal Council shall have a secretarial staff consisting of a Secretary, a Joint Secretary and such other officers as the Chairman may consider necessary to appoint. Staff of the Council.

(2) The Chief Secretaries of the States represented in such Council shall each be the Secretary of the Council by rotation and hold office for a period of one year at a time.

(3) The Joint Secretary of the Council shall be chosen from amongst officers not in the service of any of the States represented in the Council and shall be appointed by the Chairman.

20. (1) The office of the Zonal Council for each zone shall be located at such place within the zone as may be determined by the Council. Office of the Council.

(2) The administrative expenses of the said office, including the salaries and allowances payable to or in respect of members of the secretarial staff of the Council other than the Secretary, shall be borne by the Central Government out of monies provided by Parliament for the purpose.

21. (1) Each Zonal Council shall be an advisory body and may discuss any matter in which some or all of the States represented in that Council, or the Union and one or more of the States represented in that Council, have a common interest and advise the Central Government and the Government of each State concerned as to the action to be taken on any such matter. Functions of the Council.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), a Zonal Council may discuss, and

make recommendations with regard to,—

(a) any matter connected with, or arising out of, the re-organisation of the States under this Act, such as border disputes, linguistic minorities and inter-State transport;

(b) any matter concerning economic planning; and 5

(c) all matters of common interest and benefit to the people in the field of social planning.

PART IV

REPRESENTATION IN THE LEGISLATURES

The Council of States

10

Allocation
of sitting
members in
the Council
of States.

22. (1) Such six of the eleven sitting members representing the State of Hyderabad as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill six of the eighteen seats allotted to the State of Andhra-Telangana.

(2) Such six of the seventeen sitting members representing the State of Bombay as the Chairman shall by order specify and the five sitting members representing the States of Saurashtra and Kutch shall, as from the appointed day, be deemed to have been duly elected to fill the eleven seats allotted to the State of Gujarat. 15

(3) The six sitting members representing the State of Travancore-Cochin and such one of the eighteen sitting members representing the State of Madras as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill seven of the nine seats allotted to the State of Kerala. 20

(4) The eleven sitting members representing the States of Bhopal, Madhya Bharat and Vindhya Pradesh and such five of the twelve sitting members representing the State of Madhya Pradesh as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill the sixteen seats allotted to the new State of Madhya Pradesh. 25 30

(5) Such seven of the twelve sitting members representing the State of Madhya Pradesh, such seven of the seventeen sitting members representing the State of Bombay, and such three of the eleven sitting members representing the State of Hyderabad, as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill the seventeen seats allotted to the State of Maharashtra. 35

(6) The six sitting members representing the State of Mysore, and such two of the seventeen sitting members representing the State of Bombay, and such two of the eleven sitting members representing the State of Hyderabad, as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been 40

duly elected to fill ten of the twelve seats allotted to the new State of Mysore.

(7) The eleven sitting members representing the existing States of Punjab and Patiala and East Punjab States Union shall, as from 5 the appointed day, be deemed to have been duly elected to fill the eleven seats allotted to the new State of Punjab.

(8) The nine sitting members representing the State of Rajasthan and the sitting member representing the States of Ajmer and Coorg shall, as from the appointed day, be deemed to have been 10 duly elected to fill the ten seats allotted to the new State of Rajasthan.

(9) Such two of the seventeen sitting members representing the State of Bombay as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill 15 two of the three seats allotted to the Union territory of Bombay.

(10) The sitting member representing the State of Delhi shall, as from the appointed day, be deemed to have been duly elected to fill one of the two seats allotted to the Union territory of Delhi.

(11) The sitting member representing the State of Himachal Pradesh shall, as from the appointed day, be deemed to have been 20 duly elected to fill the seat allotted to the Union territory of Himachal Pradesh.

(12) The sitting member representing the States of Manipur and Tripura shall, as from the appointed day, be deemed to have 25 been duly elected to fill the seat allotted to the Union territory of Tripura.

(13) In this section, "Chairman" means the Chairman of the Council of States.

23. As soon as may be after the appointed day, bye-elections shall 30 be held to fill the vacancies existing on the appointed day in the seats allotted to the States of Assam, Bihar, Kerala, Mysore, Orissa, Uttar Pradesh and West Bengal and to the Union territories of Bombay, Delhi and Manipur. Bye-elections to fill vacancies.

24. In order that, as nearly as may be, one-third of the members 35 may retire on the 2nd day of April, 1958, and on the expiration of every second year thereafter, the President shall, after consultation with the Election Commission, make by order such provisions as he thinks fit in regard to the terms of office of the members elected under section 23 and such modifications as he thinks fit in the 40 terms of office of any of the sitting members. Term of office of members.

The House of the People

Provision as
to existing
House.

25. Nothing in Part II shall be deemed to affect the constitution or duration of the existing House of the People or the extent of the constituency of any sitting member of that House.

The Legislative Assemblies

5

Changes in
composition
and alloca-
tion of sitting
members.

26. (1) Where by virtue of the provisions of Part II the whole area of any Assembly constituency in an existing State is transferred to any other existing State or becomes part of a new State,—

(a) that area shall, as from the appointed day, be deemed to form a constituency provided by law for the purpose of elections 10 to the Legislative Assembly of such other existing State or of such new State, as the case may be; and

(b) the sitting member representing that constituency shall, as from the appointed day, be deemed to have been elected to the said Legislative Assembly by that constituency and shall 15 cease to be a member of the Legislative Assembly of which he was a member immediately before that day.

(2) The provisions of the First Schedule shall apply in relation to the sitting members representing the Assembly constituencies specified therein, parts of which are by virtue of the provisions of 20 Part II transferred from an existing State to another existing State or to a new State.

(3) The members of the electoral college for Kutch constituted under section 27A of the Representation of the People Act, 1950 43 of 1950. shall, as soon as may be after the commencement of this Act elect 25 five persons from among themselves in accordance with the system of proportional representation by means of the single transferable vote and in such manner as may be prescribed; and the persons so elected shall, as from the appointed day, be deemed to have been elected to the Legislative Assembly of Gujarat by a constituency 30 comprising the whole of Kutch district.

(4) The sitting members nominated under article 333 to represent the Anglo-Indian community in the Legislative Assemblies of Madhya Pradesh, Mysore and Travancore-Cochin shall, as from the appointed day, cease to be members of those Assemblies and shall 35 be deemed to have been nominated under the said article by the respective Governors to the Legislative Assemblies of the corresponding new States.

Special pro-
vision for
elections to
the Andhra-
Telangana
Legislative
Assembly.

27. When a general election is next held in the State of Andhra-Telangana for electing members to the House of the People, elections 40 shall also be held to fill the seats allotted to the Assembly constituencies into which the transferred territory in that State is divided in the

43 of 1951.

order referred to in sub-section (2) of section 44, as if those seats had become vacant; and as from the date appointed under the Representation of the People Act, 1951 as the date before which the said elections shall be completed, all the persons who, having been sitting
5 members of the Legislative Assembly of Hyderabad, become on the appointed day members of the Legislative Assembly of Andhra-Telangana under sub-section (1) or sub-section (2) of section 26 of this Act shall cease to be such members.

28. (1) The period of five years referred to in clause (1) of
10 article 172 shall,—

Duration
of Legisla-
tive Assem-
blies.

(a) in the case of the Legislative Assembly of each new State except Kerala, as constituted by the provisions of section 26, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of
15 the corresponding State; and

(b) in the case of the Legislative Assembly of Kerala, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of Madras.

(2) The changes in the composition of the Legislative Assemblies of Andhra-Telangana and Madras whether under section 26 or
20 under section 27, shall not affect their durations as provided in clause (1) of article 172.

29. (1) The persons who immediately before the appointed day are the Speakers and the Deputy Speakers of the Legislative Assemblies of the existing States of Travancore-Cochin, Mysore, Madhya Pradesh, Rajasthan and Punjab shall, as from that day, be deemed to have been chosen under article 178 as the Speakers and Deputy Speakers, respectively, of the Legislative Assemblies of the corresponding new States.
25

Speakers and
Deputy
Speakers.

(2) The persons who, immediately before the appointed day, are
30 the Speakers of the Legislative Assemblies of the existing States of Bombay and Saurashtra shall, as from that day, be deemed to have been chosen under article 178 as the Speakers of the Legislative Assemblies of Maharashtra and Gujarat, respectively.

35 30. Until rules are made under clause (1) of article 208 by the Legislative Assembly of a new State, the rules as to procedure and conduct of business in force immediately before the appointed day with respect to the Legislative Assembly of the corresponding State shall have effect in relation to the Legislative Assembly of the new
40 State subject to such modifications and adaptations as may be made therein by the Speaker.

Rules of
procedure.

The Legislative Councils

Madhya
Pradesh
Legislative
Council.

31. (1) As from such date as the President may by order appoint, there shall be a Legislative Council for the new State of Madhya Pradesh.

(2) In the said Council there shall be 72 seats of which— 5

(a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 24, 6 and 6 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (d) of the said clause shall be 24; and 10

(c) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (e) of that clause shall be 12.

(3) As soon as may be after the commencement of this Act, the President, after consultation with the Election Commission, shall by order determine— 15

(a) the constituencies into which the said new State shall be divided for the purpose of elections to the Council under each of the sub-clauses (a), (b) and (c) of clause (3) of article 171; 20

(b) the extent of each constituency; and

(c) the number of seats allotted to each constituency.

(4) As soon as may be after the appointed day, steps shall be taken to constitute the said Council in accordance with the provisions of this section and the provisions of the Representation of the People Act, 1950 and the Representation of the People Act, 1951: 25^{43 of 1950.}
43 of 1951.

Provided that the election referred to in clause (b) of sub-section (2) shall be held only after the general election to the Legislative Assembly of the new State of Madhya Pradesh has been held.

Madras
Legislative
Council.

32. (1) In the Legislative Council of Madras, as from the appointed day, there shall be 48 seats of which— 30

(a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 16, 4 and 4 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (d) of the said clause shall be 16; and 35

(c) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (e) of that clause shall be 8. 40

(2) As from the appointed day, the Delimitation of Council Constituencies (Madras) Order, 1951 shall have effect subject to the modifications directed by the Second Schedule, and in the said Order,—

51 (a) any reference to the State of Madras shall be construed as including the territory added to that State by section 4 and as excluding the territory which ceases to be part of that State by virtue of section 5, section 6 or section 7;

10 (b) any reference to Tirunelveli district shall be construed as including the territory added to that district by section 4; and

(c) any reference to Coimbatore district shall be construed as excluding Kollegal taluk.

(3) The two sitting members of the said Council representing 15 the West Coast (Local Authorities) Constituency and such two of the six sitting members representing the Madras (Graduates) Constituency, and such two of the eighteen sitting members elected by the members of the Legislative Assembly, as the Chairman of the said Council shall by order specify shall, on the appointed day, 20 cease to be members of the said Council.

(4) If, immediately before the appointed day, the total number of sitting members nominated by the Governor is nine, such one of them as the Governor shall by order specify shall, on the appointed day, cease to be a member of the said Council.

25 (5) Save as provided by sub-section (3), every sitting member of the said Council representing a council constituency the extent of which is altered by virtue of sub-section (2) shall, as from the appointed day, be deemed to have been elected to the said Council by that constituency as so altered.

30 (6) As soon as may be after the appointed day, bye-elections shall be held in all the local authorities constituencies to fill the vacancies existing on that day in the said Council.

(7) In order that, as nearly as may be, one-third of the members of the said Council may retire on the 20th April 1958, and on the 35 expiration of every second year thereafter, the Governor shall, after consultation with the Election Commission, make by order such provisions as he thinks fit in regard to the terms of office of the members elected under sub-section (6) and such modifications as he thinks fit in the terms of office of any of the sitting members.

40 33. (1) As from the appointed day there shall be a Legislative Council for the new State of Mysore. Mysore
Legislative
Council.

(2) Until the said Council has been reconstituted in accordance with the provisions of sub-sections (3) and (4) of this section and

summoned to meet for the first time the said Council shall consist of—

(a) all the sitting members of the Legislative Council of the existing State of Mysore, and

(b) 29 members to represent the territories specified in clauses (b), (c), (d) and (e) of sub-section (1) of section 7 who shall be chosen in such manner as may be prescribed. 5

(3) After such reconstitution as aforesaid, there shall be 60 seats in the said Council of which—

(a) the numbers to be filled by persons elected by the 10 electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 20, 5 and 5 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (d) of the said clause shall be 20; and 15

(c) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (e) of that clause shall be 10.

(4) The provisions of sub-sections (3) and (4) of section 31 shall apply in relation to the said Council as they apply in relation to the Legislative Council for the new State of Madhya Pradesh. 20

Punjab
Legislative
Council.

34. (1) As from the appointed day there shall be a Legislative Council for the new State of Punjab.

(2) Until the said Council has been reconstituted in accordance with the provisions of sub-sections (3) and (4) of this section and of any other law for the time being in force and has been summoned to meet for the first time, the said Council shall consist of— 25

(a) all the sitting members of the Legislative Council of the existing State of Punjab,

(b) eleven persons to be elected in such manner as may be prescribed by the members of the Legislative Assembly of the existing State of Patiala and East Punjab States Union from amongst persons who are not members of that Assembly. 30

(3) After such reconstitution as aforesaid, there shall be 48 seats in the said Council of which— 35

(a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 16, 4 and 4 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (d) of the said clause shall be 16; and

(c) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (e) of that clause shall be 8.

(4) The provisions of sub-sections (3) and (4) of section 31 shall apply in relation to the said Council as they apply in relation to the Legislative Council for the new State of Madhya Pradesh.

35 35. The persons who immediately before the appointed day are the Chairmen and Deputy Chairmen of the Legislative Councils of the existing States of Mysore and Punjab shall, as from that day, be deemed to have been chosen under article 182 as the Chairmen and Deputy Chairmen, respectively, of the Legislative Councils of
15 the corresponding new States.

Chairmen and Deputy Chairmen.

36. Until rules are made under clause (1) of article 208 by the Legislative Council of the new State of Mysore or Punjab, the rules as to procedure and conduct of business in force immediately before the appointed day with respect to the Legislative Council of the
20 corresponding State shall have effect in relation to the Legislative Council of the new State subject to such modifications and adaptations as may be made therein by the Chairman.

Rules of procedure.

Delimitation of Constituencies

18 of 1952. 37. The number of seats in the House of the People allotted to
25 each of the States (including the States which on the appointed day become Union territories) and the number of seats assigned to the Legislative Assembly of each State other than Jammu and Kashmir by order of the Delimitation Commission under the Delimitation Commission Act, 1952 (hereinafter in this part referred to as "the
30 former Commission" and "the former Act", respectively) shall be modified as shown in the Third Schedule.

Allocation of seats in the House of the People and assignment of seats to State Legislative Assemblies.

38. As soon as may be after the commencement of this Act, the President shall by order make such modifications in the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes)
35 (Part C States) Order, 1951, the Constitution (Scheduled Tribes) Order, 1950 and the Constitution (Scheduled Tribes) (Part C States) Order, 1951, as he thinks fit having regard to the territorial changes and formation of new States under the provisions of Part II.

Modification of the Scheduled Castes and Scheduled Tribes Orders.

39. (1) After the said Orders have been so modified, the population as at the last census of the scheduled castes and of the scheduled tribes in each State and in each Union territory (including in relation to Assam, the population of the scheduled tribes in that State
40 excluding the tribal areas, and the population in each autonomous

Determination of population of Scheduled Castes and Scheduled Tribes

district thereof) shall be ascertained or estimated by the census authority in such manner as may be prescribed and shall be notified by that authority in the Gazette of India.

(2) The population figures so notified shall be taken to be the relevant population figures as ascertained at the last census and 5 shall supersede any figures previously published.

Constitution
of Delimita-
tion Commis-
sion.

40. (1) As soon as may be after the commencement of this Act, the Central Government shall constitute a Commission to be called the Delimitation Commission which shall consist of three members as follows:—

10

(a) two members each of whom shall be a person who is, or has been, a Judge of the Supreme Court or of a High Court, to be appointed by the Central Government; and

(b) the Chief Election Commissioner, *ex officio*.

(2) The Central Government shall nominate one of the members 15 appointed under clause (a) of sub-section (1) to be the Chairman of the Commission.

Duties of
the Com-
mission.

41. It shall be the duty of the Commission—

(a) to determine on the basis of the population figures notified under section 39 the number of seats, if any, to be 20 reserved for the scheduled castes and the scheduled tribes of each State in the House of the People and in the Legislative Assembly of the State, having regard to the relevant provisions of the Constitution and of this Act;

(b) to determine the parliamentary and assembly consti- 25 tuencies into which each new State shall be divided, the extent of, and the number of seats to be allotted to each such constituency, and the number of seats if any, to be reserved for the scheduled castes and the scheduled tribes of the State in each such constituency; and

30

(c) to revise or cancel any of the orders of the former Commission made under section 8 of the former Act so as to provide, having regard to the provisions of the Constitution and of this Act, for a proper delimitation of all parliamentary constituencies, including those comprised in the Union territories, and of all 35 assembly constituencies.

Associate
members.

42. (1) For the purpose of assisting the Commission in the performance of its functions under clause (b) of section 41, the Commission shall associate with itself in respect of each new State such

five persons as the Central Government shall by order specify, being persons—

(a) who were associate members nominated under section 5 of the former Act and are members either of the House of the People or of a State Legislative Assembly, or

(b) who are members of the Legislative Assembly of Patiala and East Punjab States Union or of Travancore-Cochin.

(2) None of the associate members shall have a right to vote or to sign any decision of the Commission.

10 43. If, owing to death or resignation, the office of the Chairman or of a member or of an associate member falls vacant, it shall be filled as soon as may be practicable by the Central Government in accordance with the provisions of section 40 or, as the case may be, of section 42. Casual vacancies.

15 44. (1) The provisions of section 7 of the former Act shall apply in relation to the Commission as it applied in relation to the former Commission; and in determining the matters referred to in clauses (b) and (c) of section 41, the Commission shall have regard to the provisions contained in clauses (a) to (e) of sub-section (2) of section 8 of the former Act. Procedure as to delimitation.

20 (2) After determining all the matters referred to in section 41, the Commission shall prepare an order, to be known as the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, and send authenticated copies thereof to the Central Government and to each of the State Governments; and thereupon, that Order shall supersede all the orders made by the former Commission and have the full force of law and shall not be called in question in any court.

30 (3) As soon as may be after the said Order is received by the Central Government or a State Government, it shall be laid before the House of the People or, as the case may be, the Legislative Assembly of the State.

(4) Subject to the provisions of sub-section (5), the readjustment of the representation of the several constituencies in the House of the People or in the Legislative Assembly of a State and the delimitation of those constituencies provided for in the said Order shall apply in relation to every election to the House of the People or to the Legislative Assembly of a State, as the case may be, held after the appointed day, and shall so apply in supersession of the provisions contained in any other law.

(5) Nothing in this section shall affect the representation in the House of the People or in the Legislative Assembly of a State until

the dissolution of the House or the Assembly, as the case may be, existing or brought into existence on the appointed day.

(6) At any time within six months of the date of the said Order, any printing mistake found therein and any other error arising therein from an accidental slip or omission may be corrected by the Chief Election Commissioner by order published in the Gazette of India.

PART V

HIGH COURTS

High Courts
for the new
States.

45. (1) The High Court at Bombay shall, as from the appointed day, be deemed to be the High Court for the States of Gujarat and Maharashtra and for the Union territory of Bombay.

(2) The High Courts exercising immediately before the appointed day jurisdiction in relation to the existing States of Madhya Pradesh, Mysore, Punjab, Rajasthan and Travancore-Cochin shall, as from the appointed day, be deemed to be the High Courts for the corresponding new States.

Abolition of
certain
courts.

46. (1) As from the appointed day, the High Courts of Hyderabad, Madhya Bharat, Patiala and East Punjab States Union and Saurashtra and the Courts of the Judicial Commissioners for Ajmer, Bhopal, Kutch and Vindhya Pradesh shall cease to function and are hereby abolished.

(2) Nothing in sub-section (1) shall prejudice or affect the continued operation of any notice served, injunction issued, direction given or proceedings taken before the appointed day by any of the courts abolished by that sub-section under the powers then conferred upon that court.

Jurisdiction
of High
Courts for
new States.

47. The High Court for a new State shall have, in respect of the territories for the time being included in that new State, all such original, appellate and other jurisdiction as, under the law in force immediately before the appointed day, is exercisable in respect of the said territories or any part of the said territories by any High Court or Judicial Commissioner's Court for an existing State.

Power to
enrol
advocates,
etc.

48. (1) The High Court for a new State shall have the like powers to approve, admit, enrol, remove and suspend advocates and attorneys, and to make rules with respect to advocates and attorneys as are, under the law in force immediately before the appointed day, exercisable by the High Court for the corresponding State.

(2) The right of audience in the High Court for a new State shall be regulated in accordance with the like principles as, imme-

diately before the appointed day, are in force with respect to the right of audience in the High Court for the corresponding State:

Provided that, subject to any rule made or direction given by the High Court for a new State in exercise of the power conferred by this section, any person who, immediately before the appointed day, is an advocate entitled to practise, or an attorney entitled to act in any such High Court or Judicial Commissioner's Court as may be specified in this behalf by the Chief Justice of the High Court for the new State, shall be recognised as an advocate or an attorney entitled to practise or to act, as the case may be, in the High Court for the new State.

49. Subject to the provisions of this Part, the law in force immediately before the appointed day with respect to practice and procedure in the High Court for the corresponding State shall, with the necessary modifications, apply in relation to the High Court for a new State, and accordingly, the High Court for the new State shall have all such powers to make rules and orders with respect to practice and procedure as are, immediately before the appointed day, exercisable by the High Court for the corresponding State:

Provided that any rules or orders which are in force immediately before the appointed day with respect to practice and procedure in the High Court for the corresponding State shall, until varied or revoked by rules or orders made by the High Court for a new State, apply with the necessary modifications in relation to practice and procedure in the High Court for the new State as if made by that Court.

50. The law in force immediately before the appointed day with respect to the custody of the seal of the High Court for the corresponding State shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court for a new State.

51. The law in force immediately before the appointed day with respect to the form of writs and other processes used, issued or awarded by the High Court for the corresponding State shall, with the necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the High Court for a new State.

52. The law in force immediately before the appointed day relating to the powers of the Chief Justice, single Judges and division courts of the High Court for the corresponding State and with respect to matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the High Court for a new State.

Seat of the
High Court.

53. The High Court for a new State and the judges and division courts thereof shall sit at such place or places as the Chief Justice may, with the approval of the Governor, appoint.

Procedure
as to appeals
to the
Supreme
Court.

54. The law in force immediately before the appointed day relating to appeals to the Supreme Court from the High Court for the corresponding State and the judges and division courts thereof shall, with the necessary modifications, apply in relation to the High Court for a new State.

Transfer
of proceed-
ings to
Bombay
High Court.

55. (1) Except as hereinafter provided, the High Court at Nagpur (which on the appointed day becomes the High Court for the new State of Madhya Pradesh and is referred to in this Act as the High Court of Madhya Pradesh) shall, as from that day, have no jurisdiction in respect of the territory transferred from the existing State of Madhya Pradesh to the State of Maharashtra.

(2) Such proceedings pending in the High Court at Nagpur or the High Court of Hyderabad immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court at Bombay as the High Court for the new State of Maharashtra shall, as soon as may be after such certification, be transferred to the High Court at Bombay.

(3) All proceedings pending in the High Court of Saurashtra or in the Court of the Judicial Commissioner for Kutch immediately before the appointed day shall stand transferred to the High Court at Bombay as the High Court for the new State of Gujarat.

(4) Notwithstanding anything contained in sub-sections (1) and (2), but save as hereinafter provided, the High Court of Madhya Pradesh shall have, and the High Court at Bombay shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings, where any such proceedings seek any relief in respect of any orders passed by the High Court at Nagpur before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court of Madhya Pradesh it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court at Bombay, he shall order that they shall be so transferred, and such proceedings shall thereupon be transferred accordingly.

(5) Any order made before the appointed day by any court referred to in sub-section (2) or sub-section (3) in any proceedings transferred to the High Court at Bombay by virtue of sub-section (2) or

sub-section (3) shall for all purposes have effect, not only as an order of that court, but also as an order of the High Court at Bombay; and any order made by the High Court of Madhya Pradesh in any proceedings with respect to which that court retains jurisdiction by virtue of sub-section (4) shall for all purposes have effect, not only as an order of that High Court, but also as an order of the High Court at Bombay.

56. (1) As from the appointed day the jurisdiction of the High Court for the State of Kerala (referred to in this Act as the High Court of Kerala) shall extend to the Union territory of the Laccadive, Minicoy and Amindivi Islands.

Extension of jurisdiction of, and transfer of proceedings to, Kerala High Court.

(2) Except as hereinafter provided, the High Court at Madras shall, as from the appointed day, have no jurisdiction in respect of the said Union territory or in respect of any territory transferred from the State of Madras to the State of Kerala.

(3) Such proceedings pending in the High Court at Madras immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Kerala shall, as soon as may be after such certification, be transferred to the High Court of Kerala.

(4) Notwithstanding anything contained in sub-sections (1) and (2), but save as hereinafter provided, the High Court at Madras shall have, and the High Court of Kerala shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings, where any such proceedings seek any relief in respect of any order passed by the High Court at Madras before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court at Madras it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Kerala, he shall order that they shall be so transferred, and such proceedings shall thereupon be transferred accordingly.

(5) Any order made by the High Court at Madras—

(a) before the appointed day in any proceedings transferred to the High Court of Kerala by virtue of sub-section (3); or

(b) in any proceedings with respect to which the High Court at Madras retains jurisdiction by virtue of sub-section (4), shall for all purposes have effect, not only as an order of the High Court at Madras, but also as an order made by the High Court of Kerala.

Transfer of
proceedings
to Madhya
Pradesh
High Court.

57. (1) As from the appointed day, the High Court of Rajasthan shall have no jurisdiction in respect of the territory transferred from the existing State of Rajasthan to the new State of Madhya Pradesh.

(2) Such proceedings pending in the High Court of Rajasthan 5 immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Madhya Pradesh shall, as soon as may be after such certification, be trans- 10 ferred to the High Court of Madhya Pradesh.

(3) All proceedings pending in the High Court of Madhya Bharat or in the Court of the Judicial Commissioner for Bhopal or in the Court of the Judicial Commissioner for Vindhya Pradesh, immediately before the appointed day, shall stand transferred to the High 15 Court of Madhya Pradesh.

(4) Any order made before the appointed day by any court referred to in sub-section (2) or sub-section (3) shall for all purposes have effect not only as an order of that Court but also as an order 20 of the High Court of Madhya Pradesh.

Transfer of
proceedings
to Mysore
High Court.

58. (1) Except as hereinafter provided, neither the High Court at Bombay nor the High Court at Madras shall, as from the appoint- ed day, have jurisdiction in respect of any territory transferred 25 from the existing State of Bombay or the State of Madras, as the case may be, to the new State of Mysore.

(2) Such proceedings pending in the High Court of Hyderabad or the High Court at Bombay or Madras, immediately before the appointed day, as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard 30 and decided by the High Court for the new State of Mysore (referred to in this Act as the High Court of Mysore) shall, as soon as may be after such certification, be transferred to the High Court of Mysore.

(3) Notwithstanding anything contained in sub-sections (1) and 35 (2) but save as hereinafter provided, the High Court at Bombay or, as the case may be, the High Court at Madras shall have, and the High Court of Mysore shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings, where 40 any such proceedings seek any relief in respect of any order passed by the High Court at Bombay or Madras before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court at Bombay or Madras it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Mysore, he shall order that they shall be so transferred and such proceedings shall thereupon be transferred accordingly.

(4) Any order made by the High Court of Hyderabad before the appointed day in any proceedings transferred to the High Court of Mysore by virtue of sub-section (2) shall, for all purposes, have effect not only as an order of the High Court of Hyderabad, but also as an order made by the High Court of Mysore.

(5) Any order made by the High Court at Bombay or Madras—

(a) before the appointed day in any proceedings transferred to the High Court of Mysore by virtue of sub-section (2), or

(b) in any proceedings with respect to which the High Court at Bombay or Madras retains jurisdiction by virtue of sub-section (3),

shall, for all purposes, have effect not only as an order of the High Court at Bombay or Madras, but also as an order of the High Court of Mysore.

59. (1) All proceedings pending in the High Court of Patiala and East Punjab States Union immediately before the appointed day shall stand transferred to the High Court for the new State of Punjab (referred to in this Act as the High Court of Punjab).

Transfer of proceedings to Punjab High Court

(2) Any order made before the appointed day by the High Court of Patiala and East Punjab States Union shall for all purposes have effect, not only as an order of that Court, but also as an order made by the High Court of Punjab.

60. (1) As from the appointed day, the High Court at Bombay shall have no jurisdiction in respect of the territory transferred from the existing State of Bombay, to the new State of Rajasthan.

Transfer of proceedings to Rajasthan High Court.

(2) Such proceedings pending in the High Court at Bombay or the High Court of Madhya Bharat immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court for the new State of Rajasthan (referred to in this Act as the High Court of Rajasthan) shall, as soon as may be after such certification, be transferred to the High Court of Rajasthan.

(3) All proceedings pending in the Court of the Judicial Commissioner for Ajmer immediately before the appointed day shall stand transferred to the High Court of Rajasthan.

(4) Any order made before the appointed day by any Court referred to in sub-section (2) or sub-section (3) in any proceedings transferred to the High Court of Rajasthan by virtue of sub-section (2) or sub-section (3) shall, for all purposes, have effect not only as an order of that Court, but also as an order of the High Court of Rajasthan. 5

High Court
for the areas
added to
Andhra.

61. (1) As from the appointed day, the jurisdiction of the High Court of the existing State of Andhra shall extend to the whole of the territories transferred to that State from the existing State of Hyderabad. 10

(2) Such proceedings pending in the High Court of Hyderabad immediately before the appointed day as are certified by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Andhra- 15
Telangana shall, as soon as may be after such certification, be transferred to the High Court of Andhra.

(3) Any order made by the High Court of Hyderabad before the appointed day in any proceedings transferred to the High Court of Andhra by virtue of sub-section (2) shall, for all purposes, have 20
effect not only as an order of the High Court of Hyderabad but also as an order made by the High Court of Andhra-Telangana.

High Court
for the areas
added to
Madras.

62. (1) Except as hereinafter provided—

(a) the jurisdiction of the High Court at Madras shall, as from the appointed day, extend to the whole of the territories 25
transferred to the State of Madras from the State of Travancore-Cochin; and

(b) the High Court of Kerala shall, as from that day, have no jurisdiction in respect of the said transferred territories.

(2) Such proceedings pending in the High Court of Travancore- 30
Cochin immediately before the appointed day as are certified before that day by the Chief Justice of that High Court or after that day by the Chief Justice of the High Court of Kerala, having regard to the place of accrual of the cause of action and other circumstances to be proceedings which ought to be heard and decided by the High 35
Court at Madras shall, as soon as may be after such certification, be transferred to the High Court at Madras.

(3) Notwithstanding anything contained in sub-sections (1) and (2), but save as hereinafter provided, the High Court of Kerala shall have, and the High Court at Madras shall not have, jurisdiction 40
to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other

proceedings where any such proceedings seek any relief in respect of any order passed by the High Court of Travancore-Cochin before the appointed day:

Provided that if, after any such proceedings have been entertained by the High Court of Kerala, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court at Madras, he shall order that they shall be so transferred, and such proceedings shall thereupon be transferred accordingly.

(4) Any order made—

10 (a) by the High Court of Travancore-Cochin before the appointed day in any proceedings transferred to the High Court at Madras by virtue of sub-section (2); or

(b) by the High Court of Kerala in any proceedings with respect to which that High Court retains jurisdiction by virtue
15 of sub-section (3),

shall, for all purposes, have effect, not only as an order of the High Court of Travancore-Cochin or the High Court of Kerala, as the case may be, but also as an order made by the High Court at Madras.

63. Any person who immediately before the appointed day is an
20 advocate entitled to practise, or an attorney entitled to act, in the High Court for an existing State and was authorised to appear or to act in any proceedings transferred from that High Court to any other High Court under any of the foregoing provisions of this Part shall have the right to appear or to act, as the case may be, in the
25 other High Court in relation to those proceedings.

64. For the purposes of sections 55 to 62,—

Interpreta-
tion.

(a) proceedings shall be deemed to be pending in a court until that court has disposed of all issues between the parties, including any issues with respect to the taxation of the costs of
30 the proceedings and shall include appeals, applications for leave to appeal to the Supreme Court, applications for review, petitions for revision and petitions for writs;

(b) references to a High Court shall be construed as including references to a Judge or division court thereof, and refer-
35 ences to an order made by a court or a judge shall be construed as including references to a sentence, judgment or decree passed or made by that court or judge.

65. Nothing in this Part shall affect the application to the High Savings
Court for a new State of any provisions of the Constitution, and
40 this Part shall have effect subject to any provision that may be made on or after the appointed day with respect to that High Court

by any Legislature or other authority having power to make such provision.

PART VI

AUTHORISATION OF EXPENDITURE

Authorisation of expenditure pending sanction by Legislatures of new States. 66. In the case of every new State, the Governor or Rajpramukh of the corresponding State may at any time before the appointed day authorise such expenditure from the Consolidated Fund of the new State as he deems necessary for a period of not more than three months beginning with the appointed day pending the sanction of such expenditure by the Legislature of the new State. 5 10

Appropriation of moneys for expenditure in transferred territories under existing Appropriation Acts. 67. As from the appointed day, any Act passed by the Legislature of the State of Andhra or Madras before that day for the appropriation of any money out of the consolidated fund of the State to meet any expenditure in respect of any part of the financial year 1956-57 shall have effect also in relation to the transferred territory in that State, and it shall be lawful for the State Government to spend any amount in such transferred territory out of the amount authorised by such Act to be expended for any service in that State. 15

Reports relating to the accounts of certain States. 68. (1) Where the whole or any part of the territory of an existing State has been transferred to another existing State or to a new State by the provisions of Part II, the reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 relating to the accounts of that existing State in respect of any period prior to the appointed day, shall be submitted to the Governor of such State or of each of such States as the President may by order specify and the Governor shall thereupon cause them to be laid before the Legislature of that State. 20 25

(2) The President may by order—

(a) declare any expenditure incurred out of the Consolidated Fund of Bombay, Madhya Pradesh or Punjab or of any Part B or Part C State on any service during the financial year 1955-56 or any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (1) to have been duly authorised, and 30

(b) provide for any action to be taken on any matter arising out of the said reports. 35

Allowances and privileges of Governors of new States. 69. The allowances and privileges of the Governor of each new State shall, until provision in that behalf is made by Parliament by law under clause (3) of article 158, be such as the President may, by order, determine. 40

3 of 1953.

70. Section 3 of the Union Duties of Excise (Distribution) Act, 1953 and paragraphs 3 and 5 of the Constitution (Distribution of Revenues) Order, 1953 shall, in respect of the financial year 1956-57, have effect in the modified form set out in the Fourth Schedule.

Distribution
of revenues

PART VII

APPORTIONMENT OF ASSETS AND LIABILITIES OF CERTAIN PART A AND
PART B STATES

71. The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities immediately before the appointed day of every Part A or Part B State the whole or any part of whose territories is transferred to another State or becomes a Union territory by virtue of the provisions of Part II; and the expression "existing State" shall accordingly be construed to mean any such Part A State or Part B State.

Application
of Part.

72. (1) Subject to the other provisions of this Part, all land and all stores, articles and other goods belonging to an existing State shall pass to the successor State in which they are situated.

Land and
Goods.

(2) Any unissued stores of any class in an existing State shall pass to the successor State, or if there be two or more successor States, shall be divided between them in proportion to the total indents for stores of that class made in the period of three years ending with the 31st day of March, 1956, for the territories of the existing State included respectively in each of those successor States:

Provided that nothing in this sub-section shall apply to stores held for specific purposes, such as use or utilisation in particular institutions, workshops or undertakings or on particular works under construction.

(3) In this section, the expression "land" includes immovable property of every kind and any rights in or over such property, and the expression "goods" does not include coins, bank notes and currency notes.

73. The total of the cash balances in all treasuries of an existing State and the credit balances of that State with the Reserve Bank of India immediately before the appointed day shall pass to the successor State, or, if there be two or more successor States, be divided between them according to the population ratio:

Treasury and
bank
balances.

Provided that for the purpose of such division, there shall be no transfer of cash balances from any treasury to any other treasury and the apportionment shall be effected by adjusting the credit balances of the successor States in the books of the Reserve Bank of India on the appointed day:

Provided further that if any successor State has no account with the Reserve Bank of India, the adjustment shall be made in such manner as the Central Government may by order direct.

Arrears of
taxes.

74. The right to recover arrears of taxes (including land revenue) shall belong to the successor State in which the taxed property is situate or in which the area where the taxed transactions took place is included. 5

Right to
recover loans
and ad-
vances.

75. (1) The right to recover any loans or advances made before the appointed day by an existing State to any local body, society, agriculturist or other person in an area within that State shall belong to the successor State in which that area is included. 10

(2) The right to recover any loans or advances made before the appointed day by an existing State to any person or institution outside that State shall belong to the successor State or, if there be two or more successor States, to such one of them as the Central Government may by order specify: 15

Provided that where a successor State has been so specified, any sum recovered in respect of any such loan or advance shall be divided between all the successor States according to the population ratio. 20

Credits in
certain funds.

76. The investments in the cash balance investments account, the famine relief fund and the general fund of an existing State and the sums at the credit of an existing State in the central road fund shall pass to the successor State or, if there be two or more successor States, be divided between them according to the population ratio. 25

Assets and
liabilities of
State under-
takings.

77. (1) The assets and liabilities relating to any commercial or industrial undertaking of an existing State shall pass to the successor State in which the undertaking is located.

(2) Where a depreciation reserve fund is maintained by an existing State for any commercial or industrial undertaking, the securities held in respect of investments made from that fund shall pass to the successor State in which the undertaking is located. 30

Public debt.

78. (1) The public debt of each of the existing States of Bombay and Hyderabad attributable to loans raised by the issue of Government securities and outstanding with the public immediately before the 30th day of September, 1956, shall as from that day be the debt of the Union, and immediately on such transfer of the debt, the Central Government shall be deemed to have made a loan to that State of an amount equal to the debt so transferred on the same terms in regard to interest and repayment as are applicable to the loans so raised by that State. 40

(2) The public debt of any other existing State attributable to loans raised by the issue of Government securities and outstanding with the public immediately before the appointed day shall, as from that day, be the debt of the successor State or, if there be two or more successor States, be the debt of such one of them as the Central Government may, by order, specify; and in the latter case,—

(a) the other successor States shall be liable to pay to the successor States so specified their shares of the sums due from time to time for the servicing and repayment of the debt; and

(b) for the purpose of determining the said shares, the debt shall be deemed to be divided between the successor States as if it were a debt referred to in sub-section (3).

(3) The public debt of an existing State attributable to loans taken from the Central Government, the Reserve Bank of India or any other Bank before the appointed day, including in the case of Bombay or Hyderabad the loan deemed to have been made by the Central Government under sub-section (1), shall pass to the successor State, or if there be two or more successor States, be divided between them in proportion to the total expenditure on all capital works and other capital outlays incurred up to the appointed day in the territories of the existing State included respectively in each of those successor States:

Provided that for the purposes of such division, only expenditure on assets for which capital accounts have been kept shall be taken into account.

(4) Where a sinking fund is maintained by an existing State for the repayment of any loan raised by it, the securities held in respect of investments made from that fund shall pass to the successor State or, if there be two or more successor States, be divided between them in the same proportion as the public debt referred to in sub-section (3):

(5) In this section, the expression "Government security" means a security created and issued by a State Government for the purpose of raising a public loan and having any of the forms specified in, or prescribed under, clause (2) of section 2 of the Public Debt Act, 1944.

38 o 1944

79. Civil deposits and local fund deposits with an existing State shall pass to the successor State in whose area the deposits have been made and the liability to pay them shall fall on that State. Deposits.

80. The liability of an existing State in respect of the provident fund account of a Government servant in service on the appointed day shall, as from that day, be the liability of the successor State to which that Government servant is permanently allotted. Provident funds

Pensions.

81. The liability of the existing States in respect of pensions shall pass to, or be apportioned between, the successor States in accordance with the provisions contained in the Fifth Schedule.

Contracts.

82. (1) Where before the appointed day an existing State has made any contract in the exercise of its executive power for any purposes of the State, that contract shall be deemed to have been made in the exercise of the executive power—

(a) if there be only one successor State,—of that State;

(b) if there be two or more successor States and the purposes of the contract are, as from the appointed day, exclusively purposes of any one of them,—of that State; and

(c) if there be two or more successor States and the purposes of the contract are, as from that day, not exclusively purposes of any one of them,—of the principal successor State:

Provided that in any such case as is referred to in clause (c), the initial allocation of rights and liabilities made by this subsection shall be subject to such financial adjustment as may be agreed upon between all the successor States concerned, or in default of such agreement, as the Central Government may by order direct.

(2) For the purposes of this section, there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract—

(a) any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract; and

(b) any liability in respect of expenses incurred in or in connection with any such proceedings.

(3) This section shall have effect subject to the other provisions of this Part relating to the apportionment of liabilities in respect of loans, guarantees and other financial obligations; and bank balances and securities shall notwithstanding that they partake of the nature of contractual rights, be dealt with under those provisions.

Liability in respect of actionable wrong.

83. Where, immediately before the appointed day, an existing State is subject to any liability in respect of an actionable wrong other than breach of contract, that liability shall—

(a) if there be only one successor State, be a liability of that State;

(b) if there be two or more successor States and the cause of action arose wholly within the territories which as from that day are the territories of one of them, be a liability of that successor State; and

(c) in any other case, be initially a liability of the principal successor State, but subject to such financial adjustment as may be agreed upon between all the successor States concerned, or in default of such agreement, as the Central Government may by order direct.

84. Where, immediately before the appointed day, an existing State is liable as guarantor in respect of any liability of a registered co-operative society, that liability of the existing State shall—

Liability as guarantor of co-operative society.

(a) if there be only one successor State, be a liability of that State; and

(b) if there be two or more successor States and the area of the society's operations is limited to the territories which as from that day are the territories of one of them, be a liability of that successor State.

85. If any item in suspense is ultimately found to affect an asset or liability of the nature referred to in any of the foregoing provisions of this Part, it shall be dealt with in accordance with that provision.

Items in suspense.

86. The benefit or burden of any assets or liabilities of an existing State not dealt with in the foregoing provisions of this Part shall—

Residuary provision.

(a) if there be only one successor State, pass to that State. and

(b) if there be two or more successor States, be divided between them in such manner as they may agree before the 1st day of October, 1957, or in default of such agreement, be apportioned between them in such manner as the Central Government may by order direct.

87. Where by virtue of any of the provisions of this Part, any of the successor States becomes entitled to any property or obtains any benefits or becomes subject to any liability, and the Central Government is of opinion, on a reference made within a period of three years from the appointed day by any State that it is just and equitable that that property or those benefits should be transferred to or shared with, one or more of the other successor States, or that a contribution towards that liability should be made by one or more of the other successor States, the said property or benefits shall be allocated in such manner, or the other successor State or States shall make to the State primarily subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the State Governments concerned by order determine.

Power of the Central Government to order allocation or adjustment in certain cases.

Certain expenditure to be charged on the Consolidated Fund.

88. All sums payable by the Union to any State or by any State to any other State or to the Union by virtue of the provisions of this Part shall be charged on the Consolidated Fund of India or, as the case may be, the Consolidated Fund of the State by which such sums are payable.

PART VIII

APPORTIONMENT OF CERTAIN ASSETS AND LIABILITIES OF THE UNION

Definitions.

89. In this Part,—

(a) "existing State" means any of the existing Part C States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh; 10

(b) "Union purposes" mean the purposes of Government relatable to any of the matters mentioned in the Union List.

Passing of certain assets and liabilities of the Union to successor States.

90. Subject to the other provisions of this Part—

(a) such of the assets of the Union within an existing State as are immediately before the appointed day held by the Union 15 for purposes of the governance of that State shall, as from that day, pass to the successor State, unless the purposes for which the assets are so held are Union purposes; and

(b) all liabilities of the Union arising out of, or in relation to, the governance of an existing State shall, as from the appointed day, be liabilities of the successor State, unless the liabilities are relatable to a Union purpose. 20

Arrears of taxes.

91. The right to recover arrears of any tax (including land revenue) due in an existing State, being a tax enumerated in the State List, shall pass to the successor State. 25

Loans and advances.

92. The right to recover any loans or advances made before the appointed day to any local body, society, agriculturist or other person in an existing State shall belong to the successor State unless the loan or advance was made in connection with a Union purpose.

Debts due to Central Government.

93. Any debt of an existing State attributable to any loan given by 30 the Central Government on or after the 1st day of April, 1954, and outstanding immediately before the appointed day shall be a debt due by the successor State to the Central Government.

Provident fund.

94. The liability of the Union in respect of the provident fund account of a Government servant serving immediately before the 35 appointed day in an existing State under the administrative control of the Lieutenant-Governor or Chief Commissioner thereof shall, as from that day, be the liability of the successor State:

Provided that the Central Government shall transfer to the successor State funds equal to the liability of the Union as on the 40 appointed day.

95. Where a Government servant under the administrative control of the Lieutenant-Governor or Chief Commissioner of an existing State has, before the appointed day, retired or proceeded on leave preparatory to retirement, any outstanding claim in respect of his pension shall be settled by the successor State; but the liability in respect of the pension sanctioned to any such Government servant, whether before or after the appointed day, shall be the liability of the Union. Pensions

96. (1) Any contract made before the appointed day by the Union in the exercise of its executive power for purposes of the governance of an existing State shall, as from that day, be deemed to have been made in the exercise of the executive power of the successor State, unless the purposes of the contract are Union purposes; and all rights and liabilities which have accrued or may accrue under any such contract shall, to the extent to which they would have been rights and liabilities of the Union if this Act had not been passed, be rights and liabilities of the successor State. Contracts.

(2) The provisions of sub-sections (2) and (3) of section 82 shall apply in relation to any such contract as they apply in relation to a contract to which sub-section (1) of that section applies.

PART IX

PROVISIONS AS TO CERTAIN CORPORATIONS AND INTER-STATE AGREEMENTS AND ARRANGEMENTS

63 of 1951. 97. (1) As from the appointed day, the Financial Corporations constituted under the State Financial Corporations Act, 1951, for the existing States of Bombay, Hyderabad, Saurashtra and Travancore-Cochin shall be deemed to be the Financial Corporations constituted under the said Act for the States of Maharashtra, Andhra-Telangana, Gujarat and Kerala respectively. Provisions as to certain State Financial Corporations.

(2) The State of Maharashtra shall be liable to pay to each of the new States of Mysore, Gujarat and Rajasthan and to the Central Government on account of its share of the paid-up capital of the Financial Corporation for the existing State of Bombay such amount as the Central Government may by order determine.

(3) The State of Andhra-Telangana shall be liable to pay to each of the new States of Mysore and Maharashtra on account of its share of the paid-up capital of the Financial Corporation for the existing State of Hyderabad such amount as the Central Government may by order determine.

(4) The State of Kerala shall be liable to pay to the State of Madras on account of its share of the paid-up capital of the Financial

Corporation for the existing State of Travancore-Cochin such amount as the Central Government may by order determine.

Provisions as to the Madras Industrial Investment Corporation.

98. (1) As from the appointed day, the Madras Industrial Investment Corporation constituted for the existing State of Madras shall be deemed to have been constituted for that State with its area as altered by the provisions of Part II. 5

(2) The State of Madras shall be liable to pay to each of the new States of Kerala and Mysore on account of its share of the paid-up capital of the said Corporation such amount as the Central Government may by order determine. 10

Amendment of Act 2 of 1934.

99. With effect from the appointed day, the following amendments shall be made in the Reserve Bank of India Act, 1934, namely:— 2 of 1934

(1) in section 20,—

(a) the words and letter "Governments of Part A States" shall be omitted; 15

(b) for the words "their accounts respectively", the words "its account" shall be substituted;

(c) for the words "their exchange", the words "its exchange" shall be substituted;

(d) after the words "public debt", the words "of the Union" shall be inserted; 20

(2) in section 21,—

(a) in sub-section (1),—

(i) the words "and the State Governments" wherever they occur, shall be omitted; 25

(ii) for the word "their", at both places where it occurs, the word "its" shall be substituted;

(iii) in the proviso, the words "or any State Government" shall be omitted, and for the word "they", the word "it" shall be substituted; 30

(b) in sub-section (2), the words "and each State Government" shall be omitted;

(c) for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) Any agreement made under this section shall 35 be laid, as soon as may be after it is made, before Parliament." ; and

(d) sub-section (5) shall be omitted;

(3) in sub-section (1) of section 21-A, the word and letter "Part B" shall be omitted; 40

(4) after section 21-A, the following section shall be inserted, namely:—

5 “21-B. (1) Any agreement made under section 21 or section 21-A between the Bank and the Government of a State specified in the *Explanation* below and in force immediately before the 1st day of October, 1956, shall, as from that day, have effect as if it were an agreement made on that day under section 21-A between the Bank and the Government of the corresponding State, subject to such modifications, if any, being of a character not affecting the general operation of the agreement, as may be agreed upon between the Bank and the Government of the corresponding State, or in default of such agreement, as may be made therein by order of the Central Government.

Effect of agreements made between the Bank and certain States before the 1st October, 1956.

15 *Explanation.*—In this sub-section “corresponding State” means,—

(a) in relation to the agreement between the Bank and the State of Bombay, the State of Maharashtra;

20 (b) in relation to the agreement between the Bank and any other Part A State as it existed before the 1st day of October, 1956, the State with the same name; and

25 (c) in relation to the agreement between the Bank and the Part B State of Mysore, Saurashtra or Travancore-Cochin as it existed before the 1st day of October, 1956, the State of Mysore, Gujarat or Kerala respectively.

30 (2) Any agreement made under section 21-A between the Bank and the Government of the Part B State of Hyderabad or Madhya Bharat shall be deemed to have terminated on the 30th day of September, 1956.”

54 of 1948. 30 100. (1) The State Electricity Board constituted under the Electricity (Supply) Act, 1948, for any of the existing States of Bombay, Madhya Pradesh and Saurashtra shall as from the appointed day continue to function in those areas in respect of which it was functioning immediately before that day, subject to the provisions of this section and to such directions as may from time to time be issued by the Central Government.

Provision as to certain State Electricity Boards and apportionment of their assets and liabilities.

40 (2) Any directions issued by the Central Government under sub-section (1) in respect of any such Board shall include a direction that the said Act shall in its application to that Board have effect subject to such exceptions and modifications as the Central Government thinks fit.

(3) A State Electricity Board continued under sub-section (1) shall cease to function as from, and shall be deemed to be dissolved

on, the 1st day of October, 1957, or such earlier date as the Central Government may by order appoint; and upon such dissolution, its assets and liabilities shall,—

(a) in the case of the Board for Saurashtra, pass to the State of Gujarat, and

(b) in the case of the Board for the existing State of Bombay or Madhya Pradesh, be apportioned between the successor States in such manner as may be agreed upon between them, or if no agreement is reached, in such manner as the Central Government may by order determine.

(4) Nothing in the preceding provisions of this section shall be construed as preventing the Government of any of the successor States to the existing States of Bombay, Madhya Pradesh and Saurashtra from constituting at any time after the appointed day a State Electricity Board for that successor State under the provisions of the said Act, and if such a Board is so constituted before the dissolution of a Board continued under sub-section (1) and functioning in any part of that successor State,—

(a) provision may be made by order of the Central Government enabling the new Board to take over from the existing Board all or any of its undertakings, assets and liabilities in that State, and

(b) upon the dissolution of the existing Board, any assets and liabilities which would otherwise have passed to the successor State by or under the provisions of sub-section (3) shall pass to the new Board instead of to the successor State.

Continuance of arrangements in regard to generation and supply of electric power and supply of water.

101. If it appears to the Central Government that the arrangement in regard to the generation or supply of electric power or the supply of water for any area has been or is likely to be modified to the disadvantage of that area by reason of the fact that it has been transferred by the provisions of Part II from the State controlling the power stations and other installations for the generation and supply of such power, or the catchment area reservoirs and other works for the supply of water, as the case may be, the Central Government may give such directions as it deems proper to the State Government or other authority concerned for the maintenance, so far as practicable, of the previous arrangement.

Continuance of agreements and arrangements relating to certain irrigation, power or multi-purpose projects.

102. (1) Any agreement or arrangement entered into between the Central Government and one or more existing States or between two or more existing States relating to—

(a) the administration, maintenance and operation of any project executed before the appointed day, or

(b) the distribution of benefits, such as, the right to receive and utilise water or electric power, to be derived as a result of the execution of such project, which was subsisting immediately before the appointed day shall
 5 continue in force, subject to such adaptations and modifications, if any, (being of a character not affecting the general operation of the agreement or arrangement) as may be agreed upon between the Central Government and the successor State concerned or between the
 10 successor States concerned, as the case may be, by the 1st day of April, 1957, or, if no agreement is reached by the said date, as may be made therein by order of the Central Government.

(2) Where a project concerning one or more of the existing States affected by the provisions of Part II has been taken in hand, but not completed, or has been accepted by the Government of India for in-
 15 clusion in the Second Five Year Plan before the appointed day, neither the scope of the project nor the provisions relating to its administration, maintenance or operation or to the distribution of benefits to be derived from it shall be varied,—

(a) in the case where a single successor State is concerned with the project after the appointed day, except with the previous
 20 approval of the Central Government, and

(b) in the case where two or more successor States are concerned with the project after that day, except by agreement between those successor States, or if no agreement is reached,
 25 except in such manner as the Central Government may by order direct,

and the Central Government may from time to time give such directions as may appear to it to be necessary for the due completion of the project and for its administration, maintenance and operation
 30 thereafter.

(3) In this section, the expression "project" means a project for the promotion of irrigation, water supply or drainage or for the development of electric power or for the regulation or development of any inter-State river or river valley.

64 of 1950. 35 **103. (1)** The road transport corporation established under the Road Transport Corporations Act, 1950, for the existing State of Bombay shall, as from the appointed day, continue to function and operate in those areas in respect of which it was functioning and operating immediately before that day, subject to the provisions of
 40 sub-section (3) and to such directions as may from time to time be issued by the Central Government:

Provisions as to the Bombay Road Transport Corporation.

Provided that nothing in this sub-section shall be construed as preventing any of the successor States to the existing State of

Bombay from establishing a road transport corporation under the said Act for the whole or any part of its territories after the appointed day.

(2) Any directions issued by the Central Government under sub-section (1) in respect of the said corporation shall include a direction that the said Act shall in its application to that Corporation have effect subject to such exceptions and modifications as may be specified in the direction. 5

(3) The road transport corporation continued under sub-section (1) shall cease to function and shall be deemed to be dissolved on the 1st day of October, 1957, or such earlier date as the Central Government may by order appoint. 10

(4) On such dissolution the assets and liabilities of the said operation shall be apportioned between the successor States in such manner and in such proportion as the Central Government may by order determine. 15

Temporary provisions as to the continuance of certain existing road transport permits.

104. (1) Notwithstanding anything contained in section 63 of the Motor Vehicles Act, 1939, a permit granted by the State or a Regional Transport Authority in an existing State, the whole or any part of the territories of which is transferred to another existing State or to a new State shall, if such permit was, immediately before the appointed day, valid and effective in any area in the territories so transferred, be deemed to continue to be valid and effective in that area after that day subject to the provisions of that Act as for the time being in force in that area; and it shall not be necessary for any such permit to be countersigned by any other State or Regional Transport Authority for the purpose of validating it for use in such transferred territories: 20

4 of 1939.

Provided that the Central Government may, after consultation with the State Government or Governments concerned, add to, amend or vary the conditions attached to the permit by the Authority by which the permit was granted. 30

(2) No tolls, entrance fees or other charges of a like nature shall be levied after the appointed day in respect of any transport vehicle for its operations in any transferred territory under any such permit, if such vehicle was, immediately before that day, exempt from the payment of any such toll, entrance fees or other charges for its operations beyond the boundaries of the State in which such permit was granted: 35

Provided that the Central Government may, after consultation with the State Government or Governments concerned, authorise the levy of any such toll, entrance fees or other charges, as the case may be. 40

105. The Central Government may, in respect of the institutions of the categories specified in the Sixth Schedule located in a new State or in the State of Andhra-Telangana or Madras, direct that such facilities shall be provided to the Government and the people of one 5 or more adjoining States for such period and upon such terms and conditions as may be agreed upon between the State Governments concerned before the 31st day of December, 1956, or, if no agreement is reached by the said date, as may be fixed by order of the Central Government.

Continuance
of facilities
in certain
State insti-
tutions.

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PART X

PROVISIONS AS TO SERVICES

106. (1). In this section, the expression "State cadre"—

(a) in relation to the Indian Administrative Service, has the meaning assigned to it in the Indian Administrative Service 15 (Cadre) Rules, 1954, and

Provisions
relating to
All-India
Services.

(b) in relation to the Indian Police Service, has the meaning assigned to it in the Indian Police Service (Cadre) Rules, 1954.

(2) As from the appointed day, there shall be constituted for 20 each of the new States a State cadre of the Indian Administrative Service and a State cadre of the Indian Police Service.

(3) The initial strength and composition of each of the said cadres shall be such as the Central Government may by order determine before the appointed day.

25 (4) The cadres of each of the said services for the existing States of Bombay, Madhya Pradesh, Punjab and Vindhya Pradesh and for the existing Part B States shall, as from the appointed day, cease to exist, and the members of each of the said services borne on those cadres shall be allocated to the State cadres of the 30 same service for the other existing States or for the new States in such manner and with effect from such date or dates as the Central Government may by order specify.

61 of 1951. (5) Nothing in this section shall be deemed to affect the operation after the appointed day of the All-India Services Act, 1951, 35 or the rules made thereunder in relation to the State cadres of the said services constituted under sub-section (2) and in relation to the members of those services borne on the said cadres.

107. (1) Every person who immediately before the appointed day is serving in connection with the affairs of the Union under the 40 administrative control of the Lieutenant-Governor or Chief Com-

Provisions
relating to
other Ser-
vices.

missioner in any of the existing States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh, or is serving in connection with the affairs of any of the existing States of Mysore, Punjab, Patiala and East Punjab States Union and Saurashtra shall, as from that day, be deemed to have been allotted to serve in connection with the 5 affairs of the successor State to that existing State.

(2) Every person who immediately before the appointed day is serving in connection with the affairs of an existing State part of whose territories is transferred to another State by the provisions of Part II shall, as from that day, provisionally continue to serve 10 in connection with the affairs of the principal successor State to that existing State, unless he is required by general or special order of the Central Government to serve provisionally in connection with the affairs of any other successor State.

(3) As soon as may be after the appointed day, the Central 15 Government shall, by general or special order, determine the successor State to which every person referred to in sub-section (2) shall be finally allotted for service and the date with effect from which such allotment shall take effect or be deemed to have taken effect. 20

(4) Every person who is finally allotted under the provisions of sub-section (3) to a successor State shall, if he is not already serving therein be made available for serving in that successor State from such date as may be agreed upon between the Governments concerned, and in default of such agreement, as may be determined by 25 the Central Government.

(5) The Central Government may by order establish one or more Advisory Committees for the purpose of assisting it in regard to—

(a) the determination of the final allotment of persons 30 under the provisions of sub-section (3);

(b) the proper integration of the services and their division among the States of Andhra-Telangana and Madras and the new States; and

(c) the ensuring of fair and equitable treatment to all 35 persons affected by the provisions of this section and the proper consideration of any representations made by such persons.

(6) The foregoing provisions of this section shall not apply in relation to any person to whom the provisions of section 106 apply.

(7) Nothing in this section shall be deemed to affect after the 40 appointed day the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to the determination of

the conditions of service of persons serving in connection with the affairs of the Union or any State:

Provided that the conditions of service applicable immediately before the appointed day to the case of any person who is required 5 under this section to serve, as from that day, in connection with the affairs of any State shall not be varied to his disadvantage except with the previous approval of the Central Government.

108. (1) Every person who immediately before the appointed day is holding or discharging the duties of any post or office in connection with the affairs of the Union or of an existing State in any 15 area which on that day falls within another existing State or a new State or in a Union territory shall, except where under the provisions of this Act or any other law for the time being in force such post or office ceases to exist on that day, continue to hold the same or a corresponding post or office in the other existing State or new 20 State or Union territory in which such area is included on that day, and shall be deemed as from that day to have been duly appointed to such post or office by the Government of, or other appropriate authority in, such State, or by the Central Government or other appropriate authority in such Union territory, as the case may be.

Provisions as to continuance of officers in the same or corresponding posts.

(2) Nothing in this section shall be deemed to prevent a competent authority, after the appointed day, from passing in relation to any such person any order affecting his continuance in such post or office.

25 109. The Central Government may at any time before or after the appointed day give such directions to any State as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part.

Power of Central Government to give directions.

30 110. (1) The Public Service Commissions for the existing States of Mysore, Punjab, Rajasthan and Travancore-Cochin shall, as from the appointed day, be deemed to be the Public Service Commissions for the corresponding new States.

Provisions as to State Public Service Commissions.

(2) As from the appointed day, the Public Service Commissions for the existing States of Bombay, Hyderabad, Madhya Bharat, 35 Madhya Pradesh, Patiala and East Punjab States Union and Saurashtra shall cease to exist.

(3) Every person holding office immediately before the appointed day as chairman or other member of any of the Commissions mentioned in sub-section (2) shall become a member, and if so specified, 40 also the chairman, of such one of the Public Service Commissions constituted for the States of Andhra-Telangana, Gujarat, Madhya Pradesh, Maharashtra, Punjab and Mysore as the President shall by order specify.

(4) Every person who becomes a member of a Public Service Commission on the appointed day under sub-section (1) or sub-section (3) shall, subject to the proviso to clause (2) of article 316, hold office or continue to hold office until the expiration of his term of office as determined under the provisions applicable to him immediately before the appointed day. 5

PART XI

LEGAL AND MISCELLANEOUS PROVISIONS

Territorial
extent of
laws.

111. The provisions of Part II shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and territorial references in any such law to an existing State shall, until otherwise provided by a competent Legislature or other competent authority, be construed as meaning the territories within that State immediately before the appointed day. 15

Power to
adapt laws.

112. For the purpose of facilitating the application of any law in relation to any of the States or Union territories formed or territorially altered by the provisions of Part II, the appropriate Government may, before the expiration of one year from the appointed day, by order make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority. 20

Explanation.—In this section, the expression “appropriate Government” means— 25

(a) as respects any law relating to a matter enumerated in the Union List, the Central Government; and

(b) as respects any other law,—

(i) in its application to a State, the State Government, 30
and

(ii) in its application to a Union territory, the Central Government.

Power to
construe
laws.

113. Notwithstanding that no provision or insufficient provision has been made under section 112 for the adaptation of a law made before the appointed day, any court, tribunal or authority required or empowered to enforce such law may, for the purpose of facilitating its application in relation to any State or Union territory formed or territorially altered by the provisions of Part II, construe the law 35

with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the court, tribunal or authority.

114. The Central Government, as respects any Union territory, and the State Government as respects any new State or any transferred territory, may by notification in the Official Gazette, specify the authority, officer or person who, as from the appointed day, shall be competent to exercise such functions exercisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly.

Power to name authorities, etc. for exercising statutory functions.

115. Where immediately before the appointed day, the Union or an existing State is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment under this Act, the successor State which succeeds to, or acquires a share in, that property or those rights or liabilities by virtue of any provision of this Act shall be deemed to be substituted for the Union or the existing State as a party to those proceedings, or added as a party thereto, as the case may be, and the proceedings may continue accordingly.

Legal proceedings.

116. (1) Every proceeding pending immediately before the appointed day before a court (other than a High Court), tribunal, authority or officer—

Provisions as to certain pending proceedings.

(a) in any area which on that day falls within a State shall, if it is a proceeding relating exclusively to any part of the territories which as from that day are the territories of another State or become Union territory, stand transferred to the corresponding court, tribunal, authority or officer in the other State or the Union territory, as the case may be; and

(b) in any area which on that day falls within any Union territory shall, if it is a proceeding relating exclusively to any part of the territories which as from that day are the territories of a State, stand transferred to the corresponding court, tribunal, authority or officer in that State.

(2) If any question arises as to whether any proceeding should stand transferred under sub-section (1), it shall be referred for the decision of the Chief Justice of the High Court having jurisdiction in respect of the area in which the court, tribunal, authority or officer before which or whom such proceeding is pending on the appointed day, is functioning and the decision of such Chief Justice shall be final.

(3) In this section—

(a) "proceeding" includes any suit, case or appeal; and

(b) "corresponding court, tribunal, authority or officer" in relation to a State or Union territory means—

(i) the court, tribunal, authority or officer in which or before whom the proceeding would have lain if the proceeding had been instituted after the appointed day, or

(ii) in case of doubt, such court, tribunal, authority or officer in the Union territory or in the State as may be determined before the appointed day by the President or, as the case may be, by the Governor of the corresponding State, and after the appointed day by the President or, as the case may be, by the Governor of that State, to be the corresponding court, tribunal, authority or officer.

Declaration
of certain
ancient
monuments
etc. in Part
C States to
be of national
importance.

117. (1) All ancient and historical monuments in Part C States which, before the 1st day of April, 1956, have either been declared by the Central Government to be protected monuments within the meaning of the Ancient Monuments Preservation Act, 1904, or which have been taken possession of by the Central Government as protected monuments are hereby declared to be ancient and historical monuments of national importance.

7 of 1904.

(2) All archaeological sites and remains in Part C States which, before the 1st day of April, 1956, have either been declared by the Central Government to be protected areas or which have been taken possession of by the Central Government as protected areas are hereby declared to be archaeological sites and remains of national importance.

(3) With effect from the appointed day, the following amendments shall be made in the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951, namely:—

71 of 1951.

(a) in the long title, the words and letters "in Part A States and Part B States" shall be omitted; and

(b) in the Schedule, in item I of Part I and item I of Part II, for the words and letters "in Part A States and Part B States" which, before the commencement of this Act" the words and figures "which, before the 1st day of April, 1956" shall be substituted.

Effect of
the provi-
sions of the
Act incon-
sistent with
other laws.

118. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

40

119. If any difficulty arises in giving effect to the provisions of this Act, the President may by order do anything not inconsistent with such provisions which appear to him to be necessary or expedient for the purpose of removing the difficulty. Power to remove difficulties.

5 120. (1) The Central Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act. Power to make rules.

(2) All rules made under this section shall be laid before both Houses of Parliament as soon as may be after they are made.

10 121. (1) The Government of Part C States Act, 1951, is repealed with effect from the appointed day. Repeal of Act 49 of 1951.

(2) The said repeal shall not affect any laws made by the Legislature of a Part C State by virtue of any power conferred on that Legislature by the Act so repealed, and all such laws in force immediately before the appointed day shall continue in force, subject to such adaptations and modifications as may be made therein under section 112, until altered, repealed or amended by a competent Legislature or other competent authority.

THE FIRST SCHEDULE

[See section 26(2)]

20 Every sitting member representing a constituency specified in the first column of the Table below in the Legislative Assembly of the existing State specified against it in the second column shall, as from the appointed day, be deemed to have been elected to the
25 Legislative Assembly of the State specified against that constituency in the third column and cease to be a member of the Legislative Assembly of which he was a member immediately before that day

TABLE

	Name of Constituency	Existing State	State to which transferred
30	(1)	(2)	(3)
	1. Palanpur-Abu-Vadagam-Danta.	Bombay.	Gujarat.
	2. Thana	Bombay	Maharashtra.
35	3. Chandgad	Bombay	Maharashtra.
	4. Halsur	Hyderabad	Maharashtra.
	5. Udgir	Hyderabad	Maharashtra.
	6. Kodangal	Hyderabad	Andhra-Telangana.
	7. Tandur-Seram	Hyderabad	Mysore.
40	8. Bhanpura	Madhya Bharat	Madhya Pradesh.
	9. Chevayur	Madras	Kerala.
	10. Panemangalore	Madras	Mysore.
	11. Shencotta	Travancore-Cochin	Madras.
	12. Punalur	Travancore-Cochin	Kerala.
	13. Pathanapuram	Travancore-Cochin	Kerala.

THE SECOND SCHEDULE

[See section 32(2)]

MODIFICATIONS IN THE DELIMITATION OF COUNCIL

CONSTITUENCIES (MADRAS) ORDER, 1951

In the Table—

5

(a) for the entry relating to the Madras (Graduates) Constituency, substitute:—

“Madras (Graduates) Entire State 4”;

(b) for the entry in the second column relating to the Madras (Teachers) Constituency, substitute “Entire State”; 10

(c) in the third column, for the figure “3” wherever it occurs, substitute “4”; and

(d) omit the entry relating to the West Coast (Local Authorities) Constituency.

THE THIRD SCHEDULE

15

[See section 37]

ALLOCATION OF SEATS IN THE HOUSE OF THE PEOPLE AND ASSIGNMENT OF SEATS TO STATE LEGISLATIVE ASSEMBLIES

The number of seats in the House of the People to be allotted to each of the States and Union territories and the number of seats to be assigned to the Legislative Assembly of each State other than Jammu and Kashmir shall be as shown in the following Table:—

TABLE

States	Number of seats in the House of the People	Number of seats in the Legisla- tive Assembly	
1. Andhra-Telangana	43	301	
2. Assam	12	108	
3. Bihar	55	330	
4. Gujarat	22	154	30
5. Kerala	18	126	
6. Madhya Pradesh	36	288	
7. Madras	41	205	
8. Maharashtra	40	240	
9. Mysore	26	182	35
10. Orissa	20	140	
11. Punjab	22	154	
12. Rajasthan	22	176	
13. Uttar Pradesh	86	430	
14. West Bengal	34	238	40
15. Jammu and Kashmir	6		

		Number of seats in the House of the People	Number of seats in the Legislative Assembly
<i>Union Territories.</i>			
5	1. Bombay	5	
	2. Delhi	4	
	3. Himachal Pradesh	3	
	4. Manipur	2	
	5. Tripura	2	

10

THE FOURTH SCHEDULE

(See section 70)

I. MODIFIED FORM OF SECTION 3 OF THE UNION DUTIES OF
EXCISE (DISTRIBUTION) ACT, 1953

3. (1) During the first half of the financial year commencing on the 1st day of April, 1956, there shall be paid out of the Consolidated Fund of India to each of the States specified in column 1 of the Table below such percentage of the distributable Union duties of excise as is set out against it in column 2:

Distribution
of a part of
the Union
duties of
excise
among the
States.

TABLE

20	State	Percentage
	Andhra	5.92
	Assam	2.61
	Bihar	11.60
	Bombay	10.37
25	Hyderabad	5.39
	Madhya Bharat	2.29
	Madhya Pradesh	6.13
	Madras	10.30
	Mysore	2.84
30	Orissa	4.22
	Patiala & East Punjab States Union	1.00
	Punjab	3.66
	Rajasthan	4.41
	Saurashtra	1.19
35	Travancore-Cochin	2.68
	Uttar Pradesh	18.23
	West Bengal	7.16

(2) During the second half of the said financial year, there shall be paid out of the Consolidated Fund of India to each of the States specified in column 1 of the Table below such percentage of the distributable Union duties of excise as is set out against it in column 2 and such additional percentage, if any, of the said duties as is set out against it in column 3:

TABLE

State	Percentage	Additional percentage	
Andhra-Telangana	9.03	..	10
Assam	2.61	..	
Bihar	11.60	..	
Gujarat	3.57	1.19	
Kerala	1.49	2.42	
Madhya Pradesh	6.25	..	15
Madras	8.39	0.26	
Maharashtra	8.87	..	
Mysore	2.81	2.84	
Orissa	4.22	..	
Punjab	4.66	..	20
Rajasthan	4.40	..	
Uttar Pradesh	18.23	..	
West Bengal	7.16	..	

II. MODIFIED FORM OF PARAGRAPHS 3 AND 5 OF THE CONSTITUTION

(DISTRIBUTION OF REVENUES) - ORDER, 1953

25

3. (1) For the purposes of clause (2) of article 270, the proceeds attributable to Part C States for the first half, and to Union territories for the second half, of the financial year commencing on the 1st day of April, 1956 shall be taken to be 2½ per cent. and 2 per cent., respectively, of so much of the net proceeds of taxes on income for the half year as does not represent the net proceeds of taxes payable in respect of Union emoluments.

(2) The percentage of the net proceeds of taxes on income, except in so far as those proceeds represent proceeds attributable to Part C States or to taxes payable in respect of Union emoluments, which is to be assigned to Part A States and Part B States (other than the State of Jammu and Kashmir) under clause (2) of article 270 in the first half of the said financial year shall be 55 per cent.; and

the total amount to be so assigned shall be distributed among the said States as follows:—

	State	Percentage
5	Andhra	5.49
	Assam	2.25
	Bihar	9.75
	Bombay	17.50
	Hyderabad	4.50
10	Madhya Bharat	1.75
	Madhya Pradesh	5.25
	Madras	9.56
	Mysore	2.45
	Orissa	3.50
15	Patiala and East Punjab States Union	0.75
	Punjab	3.25
	Rajasthan	3.50
	Saurashtra	1.00
	Travancore-Cochin	2.50
20	Uttar Pradesh	15.75
	West Bengal	11.25

(3) The percentage of the net proceeds of the taxes on income, except in so far as those proceeds represent proceeds attributable to Union territories or the taxes payable in respect of Union emoluments, which is to be assigned to States (other than the State of Jammu and Kashmir) under clause (2) of article 270 in the second half of the said financial year shall be 55 per cent.; and the total amount to be so assigned shall be distributed among the said States as follows:—

	State	Percentage	Additional percentage
30	Andhra-Telangana	8.09	..
	Assam	2.25	..
	Bihar	9.75	..
	Gujarat	6.02	1.00
	Kerala	1.38	2.26
35	Madhya Pradesh	5.14	..
	Madras	7.79	0.24
	Maharashtra	11.85	..
	Mysore	3.77	2.45
	Orissa	3.50	..
40	Punjab	4.00	..
	Rajasthan	3.51	..
	Uttar Pradesh	15.75	..
	West Bengal	11.25	..

(4) For the purposes of this paragraph, the net proceeds of taxes on income for each half of the said financial year shall be deemed to be one-half of the net proceeds of such taxes for that year.

5. (1) In accordance with the provisions of clause (1) of article 275, there shall be charged on the Consolidated Fund of India—

(a) in the first half of the said financial year, as grants-in-aid of the revenues of each of the States specified below, the sum specified against it:

5

(i) For general purposes—

Assam	50 lakhs of rupees.	
Mysore	20 lakhs of rupees.	
Orissa	37.5 lakhs of rupees.	
Punjab	62.5 lakhs of rupees.	10
Saurashtra	20 lakhs of rupees.	
Travancore-Cochin	22.5 lakhs of rupees.	
West Bengal	40 lakhs of rupees.	

(ii) For the expansion of primary education—

Bihar	41.5 lakhs of rupees.	15
Hyderabad	20 lakhs of rupees.	
Madhya Bharat	9 lakhs of rupees.	
Madhya Pradesh	25 lakhs of rupees.	
Orissa	16 lakhs of rupees.	
Patiala & East Punjab States Union	4.5 lakhs of rupees.	20
Punjab	14 lakhs of rupees.	
Rajasthan	20 lakhs of rupees.	

(b) in the second half of the said financial year, as grants-in-aid of the revenues of each of the States specified below, the sum specified against it:

25

(i) For general purposes—

Assam	50 lakhs of rupees.	
Mysore	20 lakhs of rupees.	
Orissa	37.5 lakhs of rupees.	
Punjab	62.50 lakhs of rupees.	30
Gujarat	20 lakhs of rupees.	
Kerala	20.32 lakhs of rupees.	
Madras	2.18 lakhs of rupees.	
West Bengal	40 lakhs of rupees.	35

(ii) For the expansion of primary education—

Bihar	41.50 lakhs of rupees.	
Andhra-Telangana	11.55 lakhs of rupees.	
Mysore	2.89 lakhs of rupees.	
Maharashtra	14.52 lakhs of rupees.	40
Madhya Pradesh	25.17 lakhs of rupees.	
Orissa	16.00 lakhs of rupees.	
Punjab	18.50 lakhs of rupees.	
Rajasthan	19.87 lakhs of rupees.	

(2) There shall also be charged on the Consolidated Fund of India—

5 (a) in the first half of the said financial year, as grants-in-aid of each of the States of Mysore, Saurashtra and Travancore-Cochin, the sum by which the total of the amounts payable to ~~that~~ **that State** under sub-paragraph (2) of paragraph 3 of this Order and under sub-section (1) of section 3 of the Union Duties of **Excise** (Distribution) Act, 1953 falls short of 172·5 lakhs of rupees, 137·5 lakhs of rupees and 140 lakhs of rupees, respectively; and

10 (b) in the second half of the said financial year, as grants-in-aid of each of the States of Mysore, Gujarat, Kerala and Madras, the sum by which the total of the amounts payable to that State as additional percentages under sub-paragraph (3) of paragraph 3 of this Order and under sub-section (2) of section 3 of the said Act falls short of 172·5 lakhs of rupees, 137·5 lakhs of rupees, 126·45 lakhs of rupees and 13·55 lakhs of rupees, respectively.

15 (3) Any sum or sums payable under this paragraph shall be in addition to any sum or sums payable to the States under each of the 20 provisos to clause (1) of article 275.

THE FIFTH SCHEDULE

(See section 81)

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS

25 1. Subject to the adjustments mentioned in paragraph 3, the successor State or each of the successor States shall, in respect of pensions granted before the appointed day by an existing State, pay the pensions drawn in its treasuries.

30 2. Subject to the said adjustments, the liability in respect of pensions of officers serving in connection with the affairs of an existing State who retire or proceed on leave preparatory to retirement before the appointed day, but whose claims for pensions are outstanding immediately before that day, shall be the liability of the successor State, or, if there be two or more successor States, of such one of them as the Central Government may by order specify.

35 3. In any case where there are two or more successor States, there shall be computed, in respect of the second half of the financial year 1956-57 and in respect of each subsequent financial year, the total payments made in all the successor States in respect of the pensions referred to in paragraphs 1 and 2. That total representing 40 the liability of the existing State in respect of pensions shall be apportioned between the successor States in the population ratio,

and any successor State paying more than its due share shall be reimbursed the excess amount by the successor State or States paying less.

4. (1) The liability in respect of the pension of any officer serving immediately before the appointed day in connection with the affairs 5 of an existing State and retiring on or after that day, shall be that of the successor State granting the pension; but the portion of the pension attributable to the service of any such officer before the appointed day in connection with the affairs of that existing State shall, if there be two or more successor States, be allocated between 10 them in the population ratio, and the Government granting the pension shall be entitled to receive from each of the other successor States its share of this liability.

(2) If any such officer was serving after the appointed day in connection with the affairs of more than one successor State, the successor 15 State or States other than the one granting the pension shall reimburse to the Government by which the pension is granted an amount which bears to the portion of the pension attributable to his service after the appointed day the same ratio as the period of his qualifying service after the appointed day under that successor State 20 bears to the total qualifying service of such officer after the appointed day reckoned for the purposes of pension.

(3) In reckoning the said total qualifying service, any service of such officer before the appointed day in connection with the affairs of the Union under the administrative control of the Lieutenant 25 Governor or Chief Commissioner in any of the existing States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh shall be added as if the said service had been service after the appointed day in connection with the affairs of the successor State to that existing State. 30

5. Any reference in this Schedule to a pension shall be construed as including a reference to the commuted value of the pension.

THE SIXTH SCHEDULE

[See section 105]

- (1) Engineering Colleges and Schools of Technology. 35
- (2) Medical Colleges.
- (3) Veterinary Colleges.
- (4) Government hospitals providing for special treatment, such as,
 - (i) tuberculosis hospitals and sanatoria,
 - (ii) cancer hospitals, 40

-
- (iii) radium institutes,
 - (iv) mental hospitals,
 - (v) leprosy hospitals and sanatoria, and
 - (vi) hospitals providing for Unani or Ayurvedic treatment.
- 5 (5) Research Institutes, such as,
- (i) irrigation research institutes,
 - (ii) Government analysts' departments, and
 - (iii) serum institutes.
- (6) Central Jails.
- 10 (7) Borstal Schools and Certified Schools.
- (8) Police Training Colleges and Institutes.
 - (9) Fire Services Training Schools.
 - (10) Hostels for Scheduled Castes, Scheduled Tribes and Backward Classes.
-

STATEMENT OF OBJECTS AND REASONS

The States of India, as they exist to-day have been formed largely as a result of historical accidents and circumstances, and there has, therefore, been a demand for the reorganisation of the component units of the Indian Union on a more rational basis, after taking into account not only the growing importance of the regional languages, but also financial, economic, and administrative considerations. The States Reorganisation Commission was accordingly constituted in December, 1953, to investigate the conditions of this problem, the historical background, the existing situation, and all other relevant factors, and to recommend the principles which could be considered appropriate as well as the broad lines on which particular States should be reorganized. The Commission reported on September 30, 1955. The proposals contained in the report and the matters connected therewith have received attention all over the country and have been discussed in Parliament and State legislatures. This Bill seeks to give effect to the scheme of reorganisation which has emerged as a result of these discussions.

The main features of the reorganisation proposed are the abolition of the existing constitutional distinction between Part A, Part B and Part C States, the establishment of two categories for the component units of the Union, to be called States and Union territories, and the abolition of the institution of the Rajpramukh consequent on the disappearance of the Part B States. In this Bill, it is proposed to provide for the transfer of the Telangana area of Hyderabad to Andhra and the renaming of the enlarged State, the transfer of certain areas from Travancore-Cochin to Madras, the forming of the new States of Kerala, Mysore, Maharashtra and Gujarat, the merger of Madhya Bhart, Vindhya Pradesh and Bhopal with the Mahakosal area of Madhya Pradesh, the merger of Ajmer with Rajasthan and the merger of the Patiala and East Punjab States Union with Punjab. Bombay, Delhi, Himachal Pradesh, Manipur, Tripura, and the Andaman and Nicobar Islands will become Union territories. The Laccadive, Minicoy and Amindivi islands will also be treated as a Union territory. In view of the proposal for the amalgamation of Bihar and West Bengal which is under consideration, no provision has been made in this Bill for any territorial adjustments between these two States.

The Bill makes the necessary supplemental and incidental provisions relating to representation in Parliament and in the State legislatures, establishment of High Courts apportionment of assets and liabilities and other matters. It also makes provision for the setting up of five Zonal Councils which will be advisory bodies,

competent to discuss matters of common interest, particularly in the field of economic and social planning.

As required by the proviso to article 3 of the Constitution, this Bill was referred by the President on the 16th March, 1956, to the legislatures of the 12 Part A and Part B States affected by the scheme of reorganisation, and they were given one month's time for expressing their views. Except in the case of Travancore-Cochin, whose Legislative Assembly has since been dissolved by proclamation of the President, the views of the legislatures of all the other States have been received and will be placed before Parliament for its consideration.

NEW DELHI;

GOVIND BALLABH PANT

The 14th April, 1956.

Notes on clauses

Clause 2. Sub-clause (i).—The “new” States are Kerala, Mysore, Maharashtra, Gujarat, Madhya Pradesh, Rajasthan and Punjab formed, respectively, under clauses 5, 7 and 9 to 13 of this Bill in pursuance of clause (a) of article 3 of the Constitution.

Sub-clause (k).—The expression “population ratio” is used only in relation to an existing State which has two or more successor States as defined in sub-clause (o). Thus, the existing State of Hyderabad will have three successor States, namely, the States of Andhra-Telangana, Maharashtra and Mysore. In relation to that existing State, the population ratio will be the ratio in which the census population of that State is distributed territorially among those three successor States, or to express it in symbols, it will be A:B:C, where A is the census population of the territory transferred from Hyderabad to Andhra-Telangana under clause 3, B is the census population of the territory transferred from Hyderabad to Maharashtra under clause 9(1) (b) and C is the census population of the territory transferred from Hyderabad to Mysore under clause 7(1) (c). The definition requires the Central Government to ascertain, in due course, the population ratio in all relevant cases and notify them in the Official Gazette.

Sub-clause (m).—The expression “principal successor State” is relevant only when there are two or more successor States to an existing State. These are named in the sub-clause.

Clauses 3 to 14.—The territorial changes proposed in this Part fall into three groups. First, there are the transfers of territories from Hyderabad to Andhra-Telangana under clause 3 and from Travancore-Cochin to Madras under clause 4. Secondly, there is the formation of seven “new” States. Thirdly, two centrally administered areas, namely, Bombay and the Laccadive, Minicoy and Amindivi islands, are formed under clauses 8 and 6, respectively. All these changes are to take place as from the appointed day.

In sub-clause (2) of each of the clauses 3, 5, 7, 9, 10, 11 and 12 and in clause 4, provision is made for constituting certain transferred territories either as separate districts or as parts of other specified districts in the States to which they will stand transferred on the appointed day. This is in order to facilitate the making of suitable administrative arrangements on and from that day without a break. Clause 14 expressly saves the power of the State Government to alter thereafter the name, extent and boundaries of any district or other territorial division in the State.

The provisions of Part II of this Bill have to be read with the provisions of clause 2 of the Constitution (Ninth Amendment) Bill, 1956 in which article 1 of the Constitution is proposed to be amend-

ed and the First Schedule to the Constitution is proposed to be completely revised.

Clauses 15 to 21.—In clause 15, it is proposed to divide the States and Union territories, as reorganised (excluding the Andaman and Nicobar Islands and the Laccadive, Minicoy and Amindivi islands), into five zones and to establish a permanent zonal council for each of them. Clause 16 provides for the composition of the zonal councils and clauses 17 and 18 provide broadly for their procedure. Each council will have a permanent secretariat located at such place within the zone as the council may determine. The functions of a council are indicated in clause 21.

Clauses 22 to 24.—In clause 3(2) of the Constitution (Ninth Amendment) Bill, 1956, it is proposed to revise the Fourth Schedule to the Constitution allotting to each State or Union territory a certain number of seats in the Council of States. In view of this revision of the allocation of seats, it becomes necessary to make detailed provision for the allocation of sitting members in the Council of States to the several States and Union territories after reorganisation, and this is done in clause 22. In all cases where a selection of individual sitting members becomes necessary, the Chairman of the Council of States is empowered by this clause to make the selection. Because of the increase in the total number of seats in the Council of States, a few bye-elections will be necessary to fill the vacancies. Clause 23 provides for the holding of these bye-elections in due course.

Clause 25.—As a result of the territorial changes, the constituencies of some of the sitting members in the House of the People will be transferred to another State and those of some others will be spread over two States. Provision is made in clause 25 that this shall not be deemed to affect the constitution or duration of the existing House of the People or the extent of the constituency of any sitting member of that House.

Clause 26.—This clause provides for the setting up of an interim Legislative Assembly for each of the new States and for the necessary changes in the composition of the Legislative Assemblies of Andhra and Madras which are territorially affected by the provisions of Part II. Broadly speaking, all sitting members of the existing Legislative Assemblies, including those of the Part C States of Ajmer, Bhopal, Coorg and Vindhya Pradesh, will become members of the Legislative Assemblies of the States to which the territory comprised in their present constituencies is transferred either wholly or in major part. Since Kutch does not have a Legislative Assembly at present, a special provision is proposed in sub-clause (3) of this clause to the effect that the electoral college constituted for that State by direct election should choose five persons from

among themselves to be members of the interim Legislative Assembly of Gujarat.

Clauses 27 and 28.—Clause 28 fixes the duration of the provisional Assemblies of the new States and of the continuing Assemblies of Andhra and Madras. It will be recalled that the existing Assemblies of Travancore-Cochin, PEPSU and Andhra have been recently elected and, in their case, the normal period of five years began on 21-3-54, 26-3-54 and 21-4-55, respectively. In the provisional Assembly of the new State of Kerala, there will be considerable disparity between the representation of the Travancore-Cochin population and that of the Malabar population. Similarly, in the provisional Assembly of the new State of Punjab, the PEPSU region will be over-represented as compared to the present Punjab region. It will, therefore, be inappropriate to continue the provisional Assemblies of these two new States for the full duration of the existing Assemblies of Travancore-Cochin and PEPSU, respectively, and it is proposed to equate their duration to that of the existing Assemblies of Madras and Punjab, respectively. The position will be different in Andhra-Telangana. The representation of the Telangana area in the enlarged Legislative Assembly of Andhra will be on the same population basis—roughly one representative for one lakh—as the representation of the present Andhra area. The number of sitting members of the Hyderabad Assembly who will become members of the Andhra Assembly on the appointed day will be only a little more than half the number of members of the existing Andhra Assembly. Taking all these factors into consideration, it is proposed in clause 28(2) that the change in the composition of the Legislative Assembly of Andhra shall not affect its normal duration of five years from 21-4-55, but a special provision is made in clause 27 for holding a semi-general election in the Telangana area simultaneously with the next general election to the House of the People in that area.

Clause 29.—This provides for the continuance in office of Speakers and Deputy Speakers of Legislative Assemblies as far as possible, in order to avoid the necessity of holding elections under article 178 immediately after the appointed day and to facilitate the conduct of business in the re-constituted Assemblies.

Clause 31.—It is proposed that the new State of Madhya Pradesh which, besides being the largest in area, will be formed by the merger of four existing States should have a bi-cameral legislature as soon as practicable. Provision is accordingly made in this clause for the establishment of a Legislative Council in this State with effect from such date as the President may appoint. This will be shortly after the general election of the Legislative As-

sembly of the State has been completed and the members of that Assembly have in their turn elected the requisite number of persons to be members of the Legislative Council.

Clause 32.—A few minor modifications in the constitution of the Legislative Council of Madras are proposed in this clause, mainly on account of the territorial changes in that State and incidentally also in order to bring it into conformity with clause (3) of article 170 of the Constitution.

Clauses 33 and 34.—It is proposed that the new State of Mysore should have a Legislative Council from the beginning. Its proper constitution in accordance with article 170(3) can be completed only after the general election has been held in the State. Provision is accordingly made in sub-clause (2) for an interim Legislative Council consisting of all the sitting members of the existing Legislative Council and 29 other members to represent the territories which will be added to Mysore. These latter members will be chosen before the appointed day in such manner as may be prescribed. Sub-clauses (3) and (4) provide for the reconstitution of the Council so as to consist of sixty members. Similar provisions are made in clause 34 in regard to the Legislative Council of Punjab the position of which is similar to that of Mysore.

Clause 37.—The Commission set up by the Delimitation Commission Act, 1952, finished its task a few months ago after delimiting parliamentary and assembly constituencies in all the existing States. In view of the territorial changes proposed in Part II of this Bill, the allocation of seats made by that Commission has to be revised. Instead of leaving this revision to be done by the new Delimitation Commission, it is proposed in clause 37 and the Third Schedule to fix the number of seats in the House of the People to be allotted to each of the reorganised States and Union territories and the total number of seats to be assigned to the Legislative Assembly of each State. The numbers already allotted or assigned by the former Commission in the case of those existing States which are unaffected by the provisions of Part II (Assam, Bihar, Orissa, Uttar Pradesh and West Bengal) are retained in the Schedule without any change, and only the numbers in regard to the other States have been altered. The quota for each State in the House of the People has been arrived at by dividing the population of the State by the same general average as was adopted by the former Delimitation Commission (i.e., 732, 983) and by rounding off to the nearest integer. For assigning the total number of seats in the various Legislative Assemblies, such multiple has been adopted as will preserve the delimitation work already done to the greatest extent.

Clauses 38 and 39.—It will not be practicable to fix in the Bill itself the numbers of seats to be reserved for the Scheduled Castes and Scheduled Tribes of each State and Union territory in the House of the People and in the State Legislative Assembly. This task has to be done by the Delimitation Commission, but before it can do so, the existing Scheduled Castes and Scheduled Tribes Orders made by the President under articles 341 and 342 and proposed to be amended by a separate Bill will have to be adapted and modified with reference to the reorganisation of States. Clause 38 proposes to vest this power of adaptation in the President. Provision is made in clause 39 empowering the census authority to ascertain or estimate the population of the Scheduled Castes and of the Scheduled Tribes in each State and in each Union territory, in such manner as may be prescribed and to notify those population figures in the Gazette of India. After these two essential steps have been taken, the Delimitation Commission will arrive at the number of seats to be reserved for the Scheduled Castes and Scheduled Tribes of each State in the House of the People and in the State Legislative Assembly.

Clause 40.—This clause provides for the constitution, as soon as this Bill is enacted, of a new Delimitation Commission on the same lines as the former Commission.

Clause 41.—This indicates the duties of the Commission.

Clauses 42, 43 and 44.—Since the re-delimitation of constituencies has to be finished within a period of four or five months at the most from the date of passing of this Bill, the procedure prescribed for the Commission in these clauses is much shorter than that laid down for the former Commission in the Act of 1952. Clause 42 requires the appointment of associate members only in regard to the seven "new" States, and the number of such members for each State is reduced to five. Since in Andhra-Telangana and Madras, only some slight readjustment of a few constituencies will be necessary, no provision is made for associate members in either of these two States. It is proposed that the associate members of the new Commission should as far as possible be selected from those who were associate members of the former Delimitation Commission. Clause 44 dispenses with the previous publication of the Commission's proposals and public sittings which were laid down in the former Act.

Clauses 45 and 46.—There are at present 18 High Courts, one for each Part A State and Part B State, and 7 Judicial Commissioner's Courts, one for each Part C State other than Coorg and Delhi. The reduction in the number of States necessarily involves the abolition

of some of these High Courts and Judicial Commissioner's Courts and this is provided in clause 46 of the Bill. In clause 45, it is proposed that the High Court at Bombay shall continue to be the High Court for Gujarat, Maharashtra and the Union territory of Bombay and that the High Courts now exercising jurisdiction in relation to the existing States of Madhya Pradesh, Mysore, Punjab, Rajasthan and Travancore-Cochin shall become the High Courts for the corresponding new States. After this reorganisation there will be 14 High Courts and 3 Judicial Commissioner's Courts in India.

Clauses 47 to 65.—The detailed provisions contained in these clauses follow in the main the provisions made in the Andhra State Act, 1953, for setting up the new High Court of Andhra. Clauses 47 to 52 contain general provisions as regards the jurisdiction and powers of the High Courts for the new States. Clause 53 provides that the High Court for a new State shall sit at such place or places as the Chief Justice may, with the approval of the Governor, appoint. The existing laws relating to appeals to the Supreme Court from the various High Courts are continued in force by clause 54. Clauses 55 to 62 provide for the transfer of proceedings from one High Court to another on the appointed day as a result of the reorganisation of the States and High Courts. Provision is made in clause 63 for enabling advocates and attorneys already engaged in those proceedings to appear and to act in the other High Court in relation to those proceedings.

Clauses 66 and 67.—In order that the administration of a new State may be carried on until the State Legislature has sanctioned expenditure from the Consolidated Fund of that State and passed the necessary Appropriation Act, provision is made in clause 66 for the Governor or Rajpramukh of the corresponding State to authorise at any time before the appointed day such expenditure for a period of three months from the appointed day. In the case of Andhra and Madras each of which will be getting new territory on that day, doubts may arise whether the State Appropriation Acts for the year 1956-57 authorise the spending of any amount in or for the transferred territory. Clause 67 is intended to remove any such doubts.

Clause 68.—Under article 151(2) of the Constitution, the reports of the Comptroller and Auditor-General relating to the accounts of a State have to be submitted to the Governor or Rajpramukh and then laid before the Legislature of the State. Where the territory of an existing State is distributed between two or more successor States, special provision will be necessary to determine to which one or more of such States the audit reports should be presented. Clause 68 enables the President to decide this question and also to take such further action as may be appropriate in the circumstances.

Clause 69.—This clause enables the President to determine by order the allowances and privileges of the Governors of all the new States until provision is made by Parliament under article 158(3).

Clause 70 and the Fourth Schedule.—The distribution among the States of a portion of the proceeds of certain Central excise duties in accordance with the recommendations of the Finance Commission is now regulated by the Union Duties of Excise (Distribution) Act, 1953, while the distribution of the divisible pool of income-tax is regulated by the Constitution (Distribution of Revenues) Order, 1953. Necessary adaptations in section 3 of the Act and paragraphs 3 and 5 of the Order are proposed in the Fourth Schedule to the Bill. Part B States at present are entitled either to payments under the said Act and Order or to the revenue gap grants payable under the federal financial integration agreements, whichever is more. In order to maintain this scheme for both halves of the financial year 1956-57 despite the abolition of the Part B States as such, provision is made in sub-paragraph (2) of the revised paragraph 5 of the Order. The additional percentages mentioned against certain States in section 3(2) of the Act and paragraph 3(3) of the Order as set out in the Fourth Schedule represent the shares to which each of the States of Gujarat, Kerala, Madras and Mysore would be entitled on account of the Part B State territories absorbed by them. The provision made in the Fourth Schedule to the Bill will be applicable only for the financial year 1956-57. The distribution of revenues among the States for subsequent years will be determined by the Finance Commission which has been recently appointed.

Clauses 71 to 88.—These clauses relate to the apportionment of the assets and liabilities of those Part A and Part B States which are affected by the provisions of Part II and follow generally the corresponding provisions of the Andhra State Act, 1953. Thus, certain assets like lands and buildings, stores, articles and other goods, arrears of taxes and the assets of State undertakings, will pass to the successor State in which such assets are physically located or with which they are territorially connected—see clauses 72, 74 and 77. Certain other assets like treasury and bank balances, the right to recover external loans and advances and credits in certain funds are to be divided between the successor States, where there is more than one, according to the “population ratio”—see clauses 73, 75 and 76.

Provision is made in clause 78 for the apportionment of the public debts of the States affected by the provisions of Part II. The provision is generally the same as that made in the Andhra State Act for the division of the public debt of Madras between Madras,

Mysore and Andhra. In the case of the public debts of Bombay and Hyderabad, however, it is proposed in sub-clause (1) that they shall stand transferred to the Central Government on the 30th September, 1956, and that the Central Government shall be deemed to have made a loan to each of these States of an amount equal to the public debt so transferred. The object is to ensure that Andhra and Maharashtra as the principal successor States of Hyderabad and Bombay, respectively, may not be saddled with an exaggerated public debt, which may affect their future borrowings. In all other cases, the debt outstanding with the public and payable by an existing State will be allocated to a specific successor State, the other successor States, if any, reimbursing the one which carries the liability. These reimbursements will be in proportion to the total expenditure on all capital works and other capital outlays incurred up to the appointed day in the territories of the existing State included, respectively, in each of the successor States.

Rights and liabilities under subsisting contracts and outstanding liabilities in respect of actionable wrongs are matters of immediate concern to the public. Since it is desirable that the private party should know with which successor State he would have to deal after the reorganisation, general provisions are made in clauses 82 and 83 for this purpose. Where there is more than one successor State to an existing State and the rights or liabilities in respect of a contract or actionable wrong cannot be logically allocated to a particular successor State, it is allocated to the principal successor State subject to subsequent financial adjustment between that State and the other successor States which may be concerned in the matter.

The division of assets and liabilities is bound to be a complicated matter and it may well be anticipated that the general provisions made in this part will not cover all possible cases fully and satisfactorily. Clause 87 accordingly vests the Central Government with power to make such adjustments as may be found just or equitable. It is proposed that this power should be exercisable by the Central Government only on a reference being made by the aggrieved State within a period of three years from the appointed day and only after consultation with all the State Governments concerned.

Clauses 89 to 96.—These clauses deal with the assets of the Union within any of the five Part C States which are proposed to be merged in the new States and the liabilities of the Union arising out of or in relation to the governance of those Part C States. A general provision is made in clause 90 that all these assets and liabilities shall pass to the absorbing States unless they are relatable

to purposes of Government connected with any matter mentioned in the Union List. The particular provisions mentioned in clauses 91 to 96 follow the pattern of Part VII, but are naturally much simpler. Clause 93 refers to the loans given by the Central Government to any of these Part C States since the 1st April, 1954 for developmental purposes and transfers the liability for those debts to the absorbing States.

Clauses 97 and 98.—There are at present ten corporations established under the State Financial Corporations Act, 1951 besides an Industrial Investment Corporation constituted some years ago for the State of Madras. The territorial changes made by Part II will affect the financial corporations of Bombay, Hyderabad, Saurashtra and Travancore-Cochin and the Madras Industrial Investment Corporation. Special provisions in regard to these corporations are accordingly proposed in clauses 97 and 98. The four financial corporations will, from the appointed day, be deemed to be the financial corporations constituted under the Act of 1951 for the States of Maharashtra, Andhra-Telengana, Gujarat and Kerala, respectively. The State which takes over the corporation is made liable to pay to each of the other successor States (and in the case of Bombay, also to the Central Government) on account of its share of the paid-up capital of the corporation, such amount as the Central Government may determine. The Madras Industrial Investment Corporation will be deemed to have been constituted for the State of Madras with its area as altered by the provisions of Part II, and that State will be liable to pay to each of the new States of Kerala and Mysore on account of its share of the paid-up capital such amount as the Central Government may determine.

Clause 99.—Sections 21 and 21A of the Reserve Bank of India Act, 1934, make somewhat different provisions in regard to Part A States and Part B States. While under section 21, Part A States have to entrust their banking business and the management of their public debt to the Reserve Bank, section 21A leaves Part B States to come to an agreement with the Bank in regard to both these matters. This difference which is mainly due to historical reasons is, strictly speaking, not justifiable under the Constitution. Agreements under section 21 exist between the Bank and all the Part A States, but no agreements have so far been made under section 21A between the Bank and the Part B States of Rajasthan and Patiala and East Puniab States Union. It is accordingly proposed in clause 99 to modify sections 20, 21 and 21A so as to bring them into conformity with the Constitution and add a new section 21B preserving all the existing arrangements. Some modifications of a more or less formal character will be necessary in these agreements in view of the

changed circumstances. It is proposed in the new section 21B that these modifications will be made by order of the Central Government if there is no agreement between the Bank and the State concerned.

Clause 100.—This clause makes transitional provision for the functioning of the State Electricity Boards now existing in the States of Bombay, Madhya Pradesh and Saurashtra. It enables these Boards to continue to function in the same areas as at present, even after the formation of the new States of Maharashtra, Gujarat and Madhya Pradesh, for a period of one year. As and when these new States set up Electricity Boards under the Electricity (Supply) Act, 1948, the existing Boards will be able to transfer their assets and liabilities to the corresponding new Boards and wind up their affairs in the regions which will pass to the jurisdiction of the latter Boards. Provision is also made for the contingency of a new State not setting up an Electricity Board by the 1st October, 1957, in which case the State itself will take over its due share of the assets and liabilities of the existing Board on its dissolution.

Clauses 101 to 104.—Clauses 101 and 102 provide for the continuance of inter-State agreements and agreements in regard to the generation and supply of electric power, the supply of water and the execution of projects for the promotion of irrigation, water supply or drainage, the development of electric power, etc. The object of clauses 103 and 104 is similarly to continue the operation of the Bombay Road Transport Corporation for a period of one year from the appointed day and to continue without serious disturbance the existing inter-State arrangements in regard to road transport permits for motor vehicles.

Clause 105 and the Sixth Schedule.—Provision is made in this clause for the continuance of facilities in certain classes of State institutions, such as engineering colleges, medical colleges, Government hospitals, research institutes and central jails, which are now enjoyed by all areas within the existing State. In order that the transfer of territory from one State to another might not be allowed to cause serious dislocation, the Central Government is empowered to issue directions to the State Governments concerned for the continuance of such facilities. Agreements will no doubt be reached between the State Governments as to the terms and conditions on which facilities in institutions located in transferred territories will be continued for the Government and the people of the adjoining States.

Clause 106.—This clause provides for the reconstitution of all the State cadres of the I.A.S. and I.P.S. which are affected by States

reorganisation. It is proposed in sub-clause (4) that the cadres for all Part B States, Bombay, Madhya Pradesh, Punjab and Vindhya Pradesh should be wound up and the members borne on those cadres should be allocated to the State cadres for the new States or for other existing States by order of the Central Government.

Clause 107.—This contains the transitory provision relating to all other State services. Broadly speaking, the scheme is that all persons serving in those Part B and Part C States which are to be completely merged in a new State will be deemed to have been allotted to that new State. Those serving in any other existing State which is affected by the reorganisation will provisionally continue to serve in the principal successor State, unless they are required by general or special order of the Central Government to serve provisionally in any other successor State. As soon as practicable after the appointed day, the Central Government will decide upon the final allocation of all these officers to particular States. Sub-clause (5) of clause 107 empowers the Central Government to set up one or more advisory committees for the purposes of assisting it in regard to the determination of the final allotment of Government servants, the proper integration of the services and the ensuring of fair and equitable treatment to all persons affected by the territorial changes and formation of new States.

Clause 108.—This clause provides for the continuance of officers in the same or corresponding posts on or after the appointed day except where under the provisions of the Bill or any other law the posts cease to exist on that day, subject to the right of the competent authority, after the appointed day, to pass in relation to such officers any order affecting their continuance in such posts.

Clause 109.—This empowers the Central Government to issue directions either before or after the appointed day to any State for the purpose of giving effect to the provisions of clauses 106 to 108.

Clause 110.—This clause provides for the establishment of Public Service Commissions in all the new States and for the re-allocation where necessary, of the chairmen and members of all the Commissions now functioning.

Clauses 111 to 116.—These clauses contain the usual and well-understood provisions of a legal nature. Clause 111 makes it clear that the territorial extent of existing laws and territorial references in those laws will not be automatically altered by reason of anything contained in Part II of this Bill. Power to adapt laws is conferred by clause 112 on the Central and State Governments to be exercised within a period of one year from the appointed day.

Clause 117. This is necessitated by the fact that when the five Part C States are merged in new States, the ancient and historical monuments which have been declared to be protected monuments and the archæological sites and remains which have been declared to be protected areas, will not have the status of monuments, sites and remains of national importance, although for all practical purposes they are, and deserve to be, treated as such by the Central Government. In order that these monuments, sites and remains may continue to be a Union responsibility, it is proposed to make the requisite declaration in terms of entry 67 of the Union List and make the consequential amendments in the Ancient and Historical Monuments and Archæological Sites and Remains (Declaration of National Importance) Act, 1951.

Clause 121.—This provides for the repeal of the Government of Part C States Act, 1951 consequent on the abolition of that category of States. It is made clear in sub-clause (2) that the repeal of that Act will not affect the continuance in force of the laws made by the Legislatures established under that Act.

FINANCIAL MEMORANDUM

The Bill contemplates that five Zonal Councils will be established. The administrative expenses including the salaries and allowances payable to or in respect of the members of the secretarial staff of each Council (other than the Secretary) will be borne by the Central Government out of monies provided by Parliament for the purpose; *vide* clause 20(2). It is anticipated that the annual recurring expenditure incurred on account of each Zonal Council may be of the order of Rs. 90,000 to Rs. 1,00,000 so that the total expenditure on account of all the five Zonal Councils may be estimated at between Rs. 4,50,000 and Rs. 5,00,000.

2. In addition to this annual recurring expenditure, some initial non-recurring expenditure may have to be incurred in the first year which may be of the order of Rs. 17,500.

3. The estimates of both recurring and non-recurring expenditure at this stage are to be regarded as very rough.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 120 of the Bill empowers the Central Government to make rules to give effect to the provisions of the Bill when enacted. This power will be required mainly with reference to clauses 26(3), 33(2) (b) and 34(2) (b) for prescribing the manner in which the elections referred in these clauses are to be held and with reference to clause 39(1) for prescribing the manner in which the census authority is to determine the population of the scheduled castes and scheduled tribes in the reorganised States and Union territories.

Clause 112 empowers the Central Government as well as the State Governments to adapt existing laws in order to facilitate their application to the States and Union territories after reorganisation. This power is to be available until the expiration of one year from the appointed day.

The proposed delegation of legislative power is of a normal character.

BILL* No. 32 OF 1956

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1956-57.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

ort title. 1. This Act may be called the Appropriation (No. 2) Act, 1956.

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2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Vote on Account) Act, 1956] to the sums of four thousand four hundred and seventy-eight crores, ninety-four lakhs and forty-five thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1956-57 in respect of the services specified in column 2 of the Schedule.

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3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

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*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to Lok Sabha the introduction and consideration of the Bill.

THE SCHEDULE

(See sections 2 and 3)

I	5 No. of Vote	2 Services and purposes	3 Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
10	1	Ministry of Commerce and Industry.	35,79,000	..	35,79,000
	2	Industries	12,98,20,000	.	12,98,20,000
	3	Commercial Intelligence and Statistics.	69,12,000	..	69,12,000
15	4	Miscellaneous Departments and Expenditure under the Ministry of Commerce and Industry	1,64,05,000	..	1,64,05,000
	5	Ministry of Communications .	16,52,000	..	16,52,000
20	6	Indian Posts and Telegraphs Department (including working expenses).	52,51,93,000	2,58,12,000	55,10,05,000
	7	Meteorology	1,36,56,000	..	1,36,56,000
	8	Overseas Communications Service	1,05,27,000	6,50,000	1,11,77,000
25	9	Aviation	3,79,23,000	..	3,79,23,000
	10	Miscellaneous Departments and Expenditure under the Ministry of Communications	16,51,000	..	16,51,000
30	11	Ministry of Defence . . .	34,05,000	..	34,05,000
	12	Defence Services— Effective Army	1,50,23,19,000	..	1,50,23,19,000
	13	Defence Services— Effective Navy	14,31,07,000	..	14,31,07,000
35	14	Defence Services— Effective Air Force . .	48,16,99,000	..	48,16,99,000
	15	Defence Services— Non-effective Charges . .	13,83,23,000	..	13,83,23,000
40	16	Miscellaneous Expenditure under the Ministry of Defence	2,10,000	..	2,10,000
	17	Ministry of Education . .	47,05,000	..	47,05,000
	18	Archæology	83,26,000	..	83,26,000
	19	Other Scientific Departments	3,25,96,000	..	3,25,96,000

1	2	3			
No. of Vote	Services and purposes	Sums not exceeding			
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
20	Education	21,07,99,000	..	21,07,99,000	
21	Miscellaneous Departments and Expenditure under the Ministry of Education	2,83,93,000	..	2,83,93,000	10
22	Tribal Areas	6,66,08,000	..	6,66,08,000	
23	External Affairs	7,43,62,000	..	7,43,62,000	
24	State of Pondicherry	3,04,30,000	19,000	3,04,49,000	15
25	Miscellaneous Expenditure under the Ministry of External Affairs	5,53,000	..	5,53,000	
26	Ministry of Finance	1,34,70,000	..	1,34,70,000	
27	Customs	3,46,30,000	..	3,46,30,000	
28	Union Excise Duties	6,58,45,000	17,03,75,000	23,62,20,000	20
29	Taxes on Income including Corporation Tax and Estate Duty	4,45,88,000	1,15,000	4,47,03,000	
30	Opium	1,66,63,000	..	1,66,63,000	
31	Stamps	1,49,71,000	5,69,000	1,55,40,000	
32	Payments to other Governments, Departments, etc.	1,61,000	..	1,61,000	25
33	Audit	8,60,45,000	19,22,000	8,79,67,000	
34	Currency	2,43,11,000	7,00,000	2,50,11,000	
35	Mint	1,33,49,000	..	1,33,49,000	
36	Territorial and Political Pensions	31,71,000	..	31,71,000	30
37	Superannuation Allowances and Pensions	2,97,28,000	29,99,000	3,27,27,000	
38	Miscellaneous Departments and Other Expenditure under the Ministry of Finance	25,24,04,000	11,25,000	25,35,29,000	35
39	Grants-in-aid to States	20,69,00,000	17,26,00,000	37,95,00,000	
40	Miscellaneous adjustments between the Union and State Governments.	4,73,000	..	4,73,000	40
41	Pre-partition Payments	1,05,71,000	33,000	1,06,04,000	

1	2	3		
		Sums not exceeding		
No. of Vote	Services and purposes	Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
10	CHARGED—Interest on Debt and other obligations and reduction or avoidance of Debt	1,08,55,94,000	1,08,55,94,000
42	Ministry of Food and Agriculture	75,44,000	..	75,44,000
43	Forest	2,97,71,000	..	2,97,71,000
44	Agriculture	16,38,61,000	..	16,38,61,000
15	45 Civil Veterinary Services . .	1,32,17,000	..	1,32,17,000
46	Miscellaneous Departments and Other Expenditure under the Ministry of Food and Agriculture	5,78,61,000	..	5,78,61,000
20	47 Ministry of Health	10,55,000	..	10,55,000
48	Medical Services	4,03,18,000	..	4,03,18,000
49	Public Health	9,30,07,000	..	9,30,07,000
50	Miscellaneous Expenditure under the Ministry of Health . .	95,35,000	..	95,35,000
25	51 Ministry of Home Affairs . .	2,23,41,000	..	2,23,41,000
52	Cabinet	33,04,000	..	33,04,000
53	Delhi	1,67,96,000	..	1,67,96,000
54	Police	2,11,51,000	..	2,11,51,000
55	Census	19,54,000	..	19,54,000
30	56 Privy Purses and Allowances of Indian Rulers	2,70,000	5,42,76,000	5,45,46,000
57	Andaman and Nicobar Islands .	2,41,56,000	..	2,41,56,000
58	Kutch	1,47,66,000	..	1,47,66,000
59	Manipur	1,27,92,000	..	1,27,92,000
35	60 Tripura	2,19,49,000	25,000	2,19,74,000
61	Relations with States	41,52,000	..	41,52,000
62	Miscellaneous Departments and Expenditure under the Ministry of Home Affairs	5,23,74,000	..	5,23,74,000
40	63 Ministry of Information and Broadcasting	11,33,000	..	11,33,000

1	2	3			
No. of Vote	Services and purposes	Sums not exceeding			
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
64	Broadcasting	3,16,25,000	..	3,16,25,000	5
65	Miscellaneous Departments and Expenditure under the Ministry of Information and Broadcasting	2,56,40,000	..	2,56,40,000	10
66	Ministry of Iron and Steel	9,72,000	..	9,72,000	
67	Ministry of Irrigation and Power	15,16,000	..	15,16,000	15
68	Multi-purpose River Schemes	1,07,44,000	..	1,07,44,000	
69	Miscellaneous Departments and Other Expenditure under the Ministry of Irrigation and Power	86,83,000	..	86,83,000	20
70	Ministry of Labour	15,81,000	..	15,81,000	
71	Chief Inspector of Mines	24,40,000	..	24,40,000	
72	Miscellaneous Departments and Expenditure under the Ministry of Labour	3,84,86,000	..	3,84,86,000	25
73	Employment Exchanges and Resettlement	2,12,19,000	..	2,12,19,000	
74	Civil Defence	1,12,000	..	1,12,000	
75	Ministry of Law	2,78,25,000	..	2,78,25,000	
76	Administration of Justice	2,21,000	10,25,000	12,46,000	30
77	Miscellaneous Expenditure under the Ministry of Law	5,28,000	..	5,28,000	
78	Ministry of Natural Resources and Scientific Research	12,45,000	..	12,45,000	
79	Survey of India	1,60,64,000	..	1,60,64,000	35
80	Botanical Survey	9,49,000	..	9,49,000	
81	Zoological Survey	11,17,000	..	11,17,000	
82	Geological Survey	1,56,97,000	..	1,56,97,000	
83	Mines	53,51,000	..	53,51,000	
84	Scientific Research	3,36,49,000	..	3,36,49,000	40
85	Exploration of Oil and Natural Gas	58,83,000	..	58,83,000	

1	2	3		
		Sums not exceeding		
No. of 5 Vote	Services and purposes	Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
86	Miscellaneous Expenditure under the Ministry of Natural Resources and Scientific Research	23,000	..	23,000
10	87 Ministry of Production	26,75,000	..	26,75,000
88	Salt	1,43,15,000	3,82,000	1,46,97,000
89	Other Organisations under the Ministry of Production	7,79,68,000	..	7,79,68,000
15	90 Government Collieries	4,18,27,000	25,92,000	4,44,19,000
91	Miscellaneous Departments and Expenditure under the Ministry of Production	1,15,08,000	..	1,15,08,000
20	92 Ministry of Rehabilitation	32,76,000	..	32,76,000
93	Expenditure on Displaced persons	21,42,03,000	..	21,42,03,000
94	Miscellaneous Expenditure under the Ministry of Rehabilitation	4,000	..	4,000
25	95 Ministry of Transport	48,58,000	..	48,58,000
96	Ports and Pilotage	68,33,000	..	68,33,000
97	Lighthouses and Lightships	1,07,70,000	..	1,07,70,000
98	Central Road Fund	5,44,69,000	..	5,44,69,000
30	99 Communications (including National Highways)	5,56,00,000	..	5,56,00,000
100	Miscellaneous Departments and Expenditure under the Ministry of Transport	43,90,000	..	43,90,000
35	101 Ministry of Works, Housing and Supply	57,20,000	..	57,20,000
102	Supplies	2,30,83,000	3,67,000	2,34,50,000
103	Other Civil Works	19,58,84,000	26,64,000	19,85,48,000
104	Stationery and Printing	6,14,23,000	..	6,14,23,000
40	105 Miscellaneous Departments and Expenditure under the Ministry of Works, Housing and Supply	65,46,000	..	65,46,000

1	2	3		
		Sums not exceeding		
No. of Vote	Services and purposes	Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
106	Department of Atomic Energy .	7,10,000	..	7,10,000
107	Atomic Energy Research . .	2,00,00,000	..	2,00,00,000
108	Department of Parliamentary Affairs	1,49,000	..	1,49,000
109	Lok Sabha	94,07,000	67,000	94,74,000
110	Miscellaneous Expenditure under Lok Sabha . .	30,000	..	30,000
111	Rajya Sabha	34,54,000	77,000	35,31,000
	CHARGED— <i>Staff, Household and Allowances of the President</i> .	..	17,87,000	17,87,000
112	Secretariat of the Vice-President	55,000	..	55,000
	CHARGED— <i>Union Public Service Commission</i>	32,36,000	32,36,000
113	Capital Outlay of the Ministry of Commerce and Industry	23,49,81,000	..	23,49,81,000
114	Capital Outlay on Indian Posts and Telegraphs (not met from Revenue) . . .	24,48,36,000	..	24,48,36,000
115	Capital Outlay on Civil Avia- tion	3,37,25,000	..	3,37,25,000
116	Other Capital Outlay of the Ministry of Communications	6,70,03,000	..	6,70,03,000
117	Defence Capital Outlay . .	28,00,00,000	..	28,00,00,000
118	Capital Outlay of the Ministry of Education	39,37,000	..	39,37,000
119	Capital Outlay of the Ministry of External Affairs. . .	27,63,000	..	27,63,000
120	Capital Outlay on the India Security Press	4,85,000	..	4,85,000
121	Capital Outlay on Currency and Coinage	78,64,000	..	78,64,000
122	Capital Outlay on Mints . .	37,52,000	..	37,52,000
123	Commuted Value of Pensions .	46,76,000	..	46,76,000

1	2	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
No. of Vote	Services and purposes			
5		Rs.	Rs.	Rs.
124	Payments to Retrenched Personnel	4,25,000	..	4,25,000
10 125	Other Capital Outlay of the Ministry of Finance	28,26,04,000	..	28,26,04,000
126	Loans and Advances by the Central Government	1,02,76,66,000	2,83,05,85,000	3,85,82,51,000
	CHARGED—Repayment of Debt.	29,71,61,65,000	29,71,61,65,000
15 127	Capital Outlay on Forests	33,28,000	..	33,28,000
128	Purchases of Foodgrains	47,19,00,000	..	47,19,00,000
129	Other Capital Outlay of the Ministry of Food and Agriculture	37,88,00,000	..	37,88,00,000
20 130	Capital Outlay of the Ministry of Health	8,69,28,000	..	8,69,28,000
131	Capital Outlay of the Ministry of Home Affairs	2,56,05,000	..	2,56,05,000
132	Capital Outlay on Broadcasting	3,94,87,000	..	3,94,87,000
25 133	Capital Outlay of the Ministry of Iron and Steel	43,74,00,000	..	43,74,00,000
134	Capital Outlay on Multi-purpose River Schemes	2,39,11,000	..	2,39,11,000
135	Other Capital Outlay of the Ministry of Irrigation and Power	9,62,000	..	9,62,000
30 136	Capital Outlay of the Ministry of Labour	55,00,000	..	55,00,000
137	Capital Outlay of the Ministry of Natural Resources and Scientific Research	4,21,82,000	..	4,21,82,000
35 138	Capital Outlay of the Ministry of Production	17,77,70,000	..	17,77,70,000
139	Capital Outlay of the Ministry of Rehabilitation	31,95,00,000	..	31,95,00,000
40 140	Capital Outlay on Ports	4,80,00,000	..	4,80,00,000
141	Capital Outlay on Roads	14,15,00,000	..	14,15,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Conso- lidated Fund	Total
		Rs.	Rs.	Rs.
142	Other Capital Outlay of the Ministry of Transport . . .	2,13,50,000	..	2,13,50,000
143	New Delhi Capital Outlay . .	10,01,28,000	5,32,000	10,06,60,000
144	Capital Outlay on buildings . .	10,13,40,000	30,000	10,13,70,000
145	Other Capital Outlay of the Ministry of Works, Housing and Supply	4,04,97,000	..	4,04,97,000
146	Capital Outlay of the Depart- ment of Atomic Energy . .	6,78,50,000	..	6,78,50,000
	GRAND TOTAL .	10,71,31,22,000	34,07,63,23,000	44,78,94,45,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 1956-57.

C. D. DESHMUKH.

NEW DELHI;

The 10th April, 1956.

M. N. KAUL,
Secretary.

